

A COMPANION TO ROMAN RHETORIC

Edited by

William Dominik and Jon Hall

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TO ROMAN
RHETORIC**

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Preface

This *Companion* aims to provide a contemporary, accessible introduction to Roman rhetoric that will find a broad readership principally within an academic context. It is intended in the first place for the advanced Classics student confronting rhetoric for the first time and for scholars in adjacent disciplines such as comparative literature, English, rhetoric, communication studies, and critical theory. At the same time we hope that scholars working specifically in the field of Roman rhetoric will find the volume useful and stimulating, not only because it constitutes the first attempt in a generation of scholarship at a wide-ranging treatment of the discipline but also because some of the contributions raise new questions or suggest new paths of scholarly investigation. Our focus is on the cultural and practical significance of rhetoric within Roman society; therefore our approach is not primarily historical or biographical. Some chapters (e.g., chapters 4–5, 12–13, 16) are more specialized or technical than others (a number are particularly relevant for students of Latin), but this is perhaps inevitable given the highly technical nature of the various topics discussed. Nevertheless, we have tried to ensure that the basic information expected of a *Companion* is included in these chapters as well.

The scale of the volume reflects the vast scope and complexity of rhetoric's influence on Roman society. This very complexity, however, poses organizational problems. It is not easy to divide such a multifaceted topic into tidy and discrete sections, and some overlap in content between chapters is inevitable. The point is illustrated best by the fact that the decree of 92 BCE, in which the censors expressed disapproval of Latin teachers of rhetoric, is referred to in no fewer than eight of the following chapters. As we hope will become clear, this repetition reflects not the redundancy of the various chapters but the impact of the decree on numerous different aspects of Roman social and political life such as the response to Greek learning, educational methods at Rome, the political advantages of oratorical training, and the emergence in Rome of the professions of grammarian and rhetorician. To minimize repetition, however, we have incorporated a text and detailed discussion

of the decree in chapter 3, and retained in later chapters only the information on its background and content necessary to provide some context for the discussion at hand. Overall we hope the result is a clear and user-friendly approach to Roman rhetoric, although we acknowledge that there are no doubt other ways in which we could have organized the material with no less cogency. Even in a volume of this size there remains much that could have been discussed; hence the inclusion of “further reading” sections at the end of each chapter providing guidance on the most useful scholarship on the particular topic covered. Naturally the length of these sections depends upon whether the chapter has a broad or narrow focus and how much bibliography is actually cited in the discussion. Other key features of this volume, which are designed to optimize its usefulness for the general reader and scholar alike, include translations of all Greek and Latin passages, a glossary of technical terms, a comprehensive bibliography, an index locorum, and a general index of important figures and concepts. This volume is also designed to provide a complement to *A Companion to Greek Rhetoric* edited by Ian Worthington in the Blackwell Companions to the Ancient World series.

The usual acknowledgement of debts in the case of this *Companion* is a necessity. We wish especially to acknowledge the assistance of Sean McConnell, who was involved not only in the editing of the chapters but also in the revision of the material submitted; the translations of some of the Latin passages; the compilation of the glossary, bibliography, and indices; and the checking of the proofs. Thanks are due to Beatrice Hudson, who was involved in the initial formatting and editing of the chapters, and Karen Pickford, who helped with the graphic design of the figures in chapter 17. We also wish to express our appreciation to Al Bertrand, Sophie Gibson, Ben Thatcher, Angela Cohen, Ann Bone, and Sue Leigh for seeing this book through from the original proposal to its publication. To all our contributors we express our sincere gratitude not only for contributing chapters on specially designated topics but also for their patience and support in the production of this volume. The University of Otago awarded various research grants that enabled us to complete much of the editing of this volume.

William Dominik and Jon Hall

Texts and Abbreviations

Ancient Works and Authors

The titles of ancient works are generally cited in Latin, occasionally in English or Greek (with an English translation).

A list of abbreviations used is provided below. Abbreviations of ancient authors and works are mainly those listed in the following works:

S. Hornblower and A. Spawforth (eds), *The Oxford Classical Dictionary*, 3rd edn. Oxford, 1996.

A. Souter, J. M. Wyllie, P. G. W. Glare, et al. (eds), *Oxford Latin Dictionary*. Oxford, 1968–82.

H. G. Liddell, R. Scott, and H. S. Jones (eds), *A Greek-English Lexicon*, 9th edn. Oxford, 1940.

A Note on the Greek and Latin Texts

The Latin consonantal “v” and “j” have been printed as “v” and “i” throughout, while “U” appears as “V”.

Latin Names

In most cases Latin names appear in their original form (e.g., Iunius, Iustus), but the English forms of some Latin names are used when they refer to well-known figures (e.g., Josephus, Jugurtha).

Abbreviations of Ancient Authors and Works

Ach. Tat.	Achilles Tatius <i>Erotici</i>
<i>Anth. Pal.</i>	<i>Anthologia Palatina</i>
Apul.	Apuleius
<i>De Dog. Plat.</i>	<i>De Dogmate Platonis</i>
<i>Flor.</i>	<i>Florida</i>
<i>Met.</i>	<i>Metamorphoses / The Golden Ass</i>
Arist.	Aristotle
<i>Eth. Nic.</i>	<i>Ethica Nicomachea</i>
<i>Mem.</i>	<i>De Memoria</i>
<i>Poet.</i>	<i>Poetica</i>
<i>Rh.</i>	<i>Rhetorica</i>
<i>Rh. Al.</i>	<i>Rhetorica ad Alexandrum</i>
Aristaen.	Aristaenetus
<i>Epist.</i>	<i>Epistolographi</i>
Aristid.	Aristides
<i>Or.</i>	<i>Orationes</i>
Asc.	Asconius
	<i>Commentary on Cicero</i>
August.	Augustine
<i>Conf.</i>	<i>Confessions</i>
Auson.	Ausonius
<i>Grat. Act.</i>	<i>Gratiarum Actio</i>
<i>Prof. Burd.</i>	<i>Commemoratio Professorum Burdigalensium</i>
Bene	Bene of Florence
	<i>Candelabrum</i>
Caes.	Gaius Iulius Caesar
<i>B Gall.</i>	<i>Bellum Gallicum</i>
Calp.	Calpurnius Flaccus
<i>Decl.</i>	<i>Declamationes</i>
Cass. Dio.	Cassius Dio
	<i>Historiae Romanae</i>
Cato	The elder Cato
<i>Fil.</i>	<i>Libri ad Filium</i>
Cic.	Cicero
<i>Acad. Post.</i>	<i>Academica Posteriora</i>
<i>Amic.</i>	<i>De Amicitia</i>
<i>Arch.</i>	<i>Pro Archia</i>
<i>Att.</i>	<i>Epistulae ad Atticum</i>
<i>Balb.</i>	<i>Pro Balbo</i>
<i>Brut.</i>	<i>Brutus</i>
<i>Caecin.</i>	<i>Pro Caecina</i>
<i>Cael.</i>	<i>Pro Caelio</i>
<i>Cat.</i>	<i>In Catilinam / Catilinarians</i>
<i>Clu.</i>	<i>Pro Cluentio</i>
<i>De Imp. Cn. Pomp.</i>	<i>De Imperio Cn. Pompeii</i>
<i>Deiot.</i>	<i>Pro Rege Deiotaro</i>
<i>De Or.</i>	<i>De Oratore</i>
<i>Div.</i>	<i>De Divinatione</i>
<i>Dom.</i>	<i>De Domo Sua</i>
<i>Fam.</i>	<i>Epistulae ad Familiares</i>
<i>Fin.</i>	<i>De Finibus</i>

<i>Flac.</i>	<i>Pro Flacco</i>
<i>Har. Resp.</i>	<i>De Haruspicum Responso</i>
<i>Inv. Rhet.</i>	<i>De Inventione Rhetorica</i>
<i>Leg.</i>	<i>De Legibus</i>
<i>Leg. Agr.</i>	<i>De Lege Agraria</i>
<i>Leg. Man.</i>	<i>Pro Lege Manilia</i>
<i>Lig.</i>	<i>Pro Ligario</i>
<i>Marcell.</i>	<i>Pro Marcello</i>
<i>Mil.</i>	<i>Pro Milone</i>
<i>Mur.</i>	<i>Pro Murena</i>
<i>Off.</i>	<i>De Officiis</i>
<i>Opt. Gen.</i>	<i>De Optimo Genere Oratorum</i>
<i>Orat.</i>	<i>Orator</i>
<i>Parad.</i>	<i>Paradoxa Stoicorum</i>
<i>Part. Or.</i>	<i>Partitiones Oratoriae</i>
<i>Phil.</i>	<i>Orationes Philippicae / Philippics</i>
<i>Pis.</i>	<i>In Pisonem</i>
<i>Planc.</i>	<i>Pro Plancio</i>
<i>Prov. Cons.</i>	<i>De Provinciis Consularibus</i>
<i>Q Fr.</i>	<i>Epistulae ad Quintum Fratrem</i>
<i>Quinct.</i>	<i>Pro Quinctio</i>
<i>Rab. Post.</i>	<i>Pro Rabirio Postumo</i>
<i>Red. Pop.</i>	<i>Post Reditum ad Populum</i>
<i>Red. Sen.</i>	<i>Post Reditum in Senatu</i>
<i>Rep.</i>	<i>De Republica</i>
<i>Rosc. Am.</i>	<i>Pro Sexto Roscio Amerino</i>
<i>Scaur.</i>	<i>Pro Scauro</i>
<i>Sen.</i>	<i>De Senectute</i>
<i>Sest.</i>	<i>Pro Sestio</i>
<i>Sull.</i>	<i>Pro Sulla</i>
<i>Top.</i>	<i>Topica</i>
<i>Tusc.</i>	<i>Tusculanae Disputationes</i>
<i>Vat.</i>	<i>In Vatinius</i>
<i>Verr.</i>	<i>In Verrem / Verrines</i>
<i>CIL</i>	<i>Corpus Inscriptionum Latinarum</i>
<i>Dem.</i>	<i>Demosthenes</i>
<i>De Cor.</i>	<i>De Corona</i>
<i>Demetr.</i>	<i>Demetrius</i>
<i>Eloc.</i>	<i>De Elocutione</i>
<i>Diog. Laert.</i>	<i>Diogenes Laertius</i>
	<i>Lives of the Philosophers</i>
<i>Dion. Hal.</i>	<i>Dionysius of Halicarnassus</i>
<i>Dem.</i>	<i>De Demosthene</i>
<i>Comp.</i>	<i>De Compositione Verborum</i>
<i>Lys.</i>	<i>De Lysia</i>
<i>Enn.</i>	<i>Ennius</i>
<i>Sed. Inc.</i>	<i>Sedis Incertae Annalium Fragmenta</i>
<i>FIRA</i>	<i>Fontes Iuris Romani AnteIustiniani</i>
<i>Flor.</i>	<i>Lucius Annaeus Florus</i>
	<i>Epitome de T. Livio Bellorum Omnium Annorum</i>
	<i>DCC Libri Duo</i>
<i>Fronto</i>	
<i>Ep.</i>	<i>Epistulae</i>
<i>Gell.</i>	<i>Aulus Gellius</i>
<i>NA</i>	<i>Noctes Atticae</i>
<i>Gramm. Rom. Frag.</i>	<i>Grammaticae Romanae Fragmenta</i>

Heliod.	Heliodorus
<i>Aeth.</i>	<i>Aethiopica</i>
Hor.	Horace
<i>Carm.</i>	<i>Carmina / Odes</i>
<i>Epist.</i>	<i>Epistulae</i>
<i>Sat.</i>	<i>Saturae</i>
ILS	<i>Inscriptiones Latinae Selectae</i>
Isoc.	Isocrates
<i>C Soph.</i>	<i>Contra Sophistas</i>
<i>Ev.</i>	<i>Evagoras</i>
Juv.	Juvenal
	<i>Saturae</i>
Livy	<i>Ab Urbe Condita</i>
Longinus	
<i>Subl.</i>	<i>On the Sublime</i>
Luc.	Lucan
	<i>Bellum Civile</i>
Lucian	
<i>Dial. Mort.</i>	<i>Dialogi Mortuorum</i>
<i>Hist. Conscr.</i>	<i>Quomodo Historia Conscribenda Sit</i>
<i>Merc. Cond.</i>	<i>De Mercede Conductis</i>
<i>Prom.</i>	<i>Prometheus</i>
<i>Rh. Pr.</i>	<i>Rhetorum Praeceptor</i>
Macrobi.	Macrobius
<i>Sat.</i>	<i>Saturnalia</i>
Mart.	Martial
	<i>Epigrammata</i>
Men. Rhet.	Menander Rhetor
	<i>On Epideictic</i>
Nep.	Cornelius Nepos
<i>Ca.</i>	<i>Cato</i>
Ov.	Ovid
<i>Am.</i>	<i>Amores</i>
<i>Ars. Am.</i>	<i>Ars Amatoria</i>
<i>Fast.</i>	<i>Fasti</i>
<i>Her.</i>	<i>Heroides</i>
<i>Met.</i>	<i>Metamorphoses</i>
<i>Pont.</i>	<i>Epistulae ex Ponto</i>
<i>Tr.</i>	<i>Tristia</i>
<i>Pan. Lat.</i>	<i>Panegyrici Latini</i>
Petron.	Petronius
<i>Sat.</i>	<i>Satyricon</i>
Phld.	Philodemus
<i>P. Hamb.</i>	<i>Griechische Papyri der Staats- und Universitätsbibliothek Hamburg</i>
<i>P. Herc.</i>	<i>Papyrus Herculanensis</i>
<i>Rh.</i>	<i>Rhetorica</i>
Philostr.	Philostratus
<i>VS</i>	<i>Vitae Sophistarum</i>
Pl.	Plato
<i>Phdr.</i>	<i>Phaedrus</i>
Plaut.	Plautus
<i>Mil.</i>	<i>Miles Gloriosus</i>
Plin.	The elder Pliny
<i>HN</i>	<i>Naturalis Historia</i>
Plin.	The younger Pliny
<i>Ep.</i>	<i>Epistulae</i>

<i>Pan.</i>	<i>Panegyricus</i>
Plut.	Plutarch
<i>Aem.</i>	<i>Aemilius Paulus</i>
<i>Ant.</i>	<i>Antonius</i>
<i>Brut.</i>	<i>Brutus</i>
<i>Cat. Mai.</i>	<i>Cato Maior</i>
<i>Cat. Min.</i>	<i>Cato Minor</i>
<i>C. Gracch.</i>	<i>Gaius Gracchus</i>
<i>Cic.</i>	<i>Cicero</i>
<i>Comp. Dem. et Cic.</i>	<i>Comparatio Demosthenis et Ciceronis</i>
<i>Luc.</i>	<i>Lucullus</i>
<i>Mor.</i>	<i>Moralia</i>
<i>Pomp.</i>	<i>Pompeius</i>
<i>Ti. Gracch.</i>	<i>Tiberius Gracchus</i>
Polyb.	Polybius
	<i>Historiae</i>
Prop.	Propertius
	<i>Elegiae</i>
Quint.	Quintilian
<i>Decl. Mai.</i>	<i>Declamationes Maiores</i>
<i>Decl. Min.</i>	<i>Declamationes Minores</i>
<i>Inst.</i>	<i>Institutio Oratoria</i>
<i>Rhet. Gr.</i>	<i>Rhetores Graeci</i>
<i>Rhet. Her.</i>	<i>Rhetorica ad Herennium</i>
<i>Rhet. Lat. Min.</i>	<i>Rhetores Latini Minores</i>
Sall.	Sallust
<i>Cat.</i>	<i>Bellum Catilinae</i>
<i>Iug.</i>	<i>Bellum Iugurthinum</i>
<i>Schol. Bob.</i>	<i>Scholia Bobiensia</i>
Sen.	The elder Seneca
<i>Controv.</i>	<i>Controversiae</i>
<i>Suas.</i>	<i>Suasoriae</i>
Sen.	The younger Seneca
<i>Ag.</i>	<i>Agamemnon</i>
<i>Apocol.</i>	<i>Apocolocyntosis</i>
<i>Ep.</i>	<i>Epistulae</i>
<i>Phoen.</i>	<i>Phoenissae</i>
<i>Q Nat.</i>	<i>Quaestiones Naturales</i>
Serv.	Servius
<i>ad Aen.</i>	<i>In Vergilium Commentarius</i>
Stat.	Statius
<i>Silv.</i>	<i>Silvae</i>
Strabo	
<i>Chr.</i>	<i>Chrestomathiae</i>
<i>Suda</i>	Greek lexicon formerly known as <i>Suidas</i>
Suet.	Suetonius
<i>Aug.</i>	<i>Divus Augustus</i>
<i>Claud.</i>	<i>Divus Claudius</i>
<i>Dom.</i>	<i>Domitianus</i>
<i>Gram.</i>	<i>De Grammaticis</i>
<i>Iul.</i>	<i>Divus Iulius</i>
<i>Ner.</i>	<i>Nero</i>
<i>Rhet.</i>	<i>De Rhetoribus</i>
<i>Tib.</i>	<i>Tiberius</i>
<i>Vesp.</i>	<i>Divus Vespasianus</i>
<i>Vita Ter.</i>	<i>Vita Terentii</i>

Tac.	Tacitus
<i>Agr.</i>	<i>Agricola</i>
<i>Ann.</i>	<i>Annales</i>
<i>Dial.</i>	<i>Dialogus de Oratoribus</i>
<i>Hist.</i>	<i>Historiae</i>
Ter.	Terence
<i>Ad.</i>	<i>Adelphoe</i>
<i>An.</i>	<i>Andria</i>
<i>Eun.</i>	<i>Eunuchus</i>
<i>Haut.</i>	<i>Heautontimorumenos</i>
<i>Hec.</i>	<i>Hecyra</i>
Val. Max.	Valerius Maximus
	<i>Facta et Dicta Memorabilia</i>
Varro	
<i>Ling.</i>	<i>De Lingua Latina</i>
Vell. Pat.	Velleius Paterculus
	<i>Compendium of Roman History</i>
Verg.	Vergil
<i>Aen.</i>	<i>Aeneid</i>
<i>G.</i>	<i>Georgics</i>

PART I

Approaching Rhetoric

CHAPTER ONE

Confronting Roman Rhetoric

William Dominik and Jon Hall

Rhetoric, according to one basic formulation, is the art of persuasive speech (see Quint. *Inst.* 2.15). In ancient Rome, however, its impact went far beyond the act of public speaking. Rhetoric dominated the education of the elite, played a crucial role in the construction of social and gender identity, and shaped in significant ways the development of Roman literature. As well as exercising a vital influence in political debate and the administration of the law courts, it formed one of the most significant modes of acculturation for the Roman aristocratic teenager. We can only fully understand the cultural and political ambitions of the Roman aristocratic classes if we understand the profound role that rhetoric played in their lives.

How we confront Roman rhetoric – how we think and write about it – depends to an extent on our own intellectual interests, preoccupations, and prejudices. As John Dugan’s discussion (chapter 2) makes clear, the critical approaches adopted in many of the following chapters both build upon and react against the methodologies and assumptions of earlier scholars. Recent studies have tended to expand their field of interest so as to consider rhetoric’s significance within a variety of different areas of Roman culture. They interrogate noncanonical as well as canonical texts, and focus on areas where contemporary critical interests coincide with elements of the rhetorical tradition. And yet, while this broadening of critical horizons has deepened our appreciation of rhetoric’s influence in society, it is essential to be able to relate these features to rhetoric’s origins and fundamental elements. Rhetoric was important in the first place because public speech played a vital role in social and political life at Rome. It is crucial then to be familiar with the contexts that generated such a need for persuasive public speaking and the highly intricate theorizing that went with it. The various sections of this volume are designed to cover these different aspects of Roman rhetoric.

Rome’s first encounters with the Greek rhetorical heritage provide a fascinating example of cultural resistance and integration (see chapter 3). What emerges most significantly from the discussions in part I of this volume is the problem inherent in an evolutionary model of Roman oratory’s development. It is tempting – partly because

Cicero himself in his *Brutus* encourages this view – to regard “early” writers such as Cato and Plautus as seriously disadvantaged by their lack of training in rhetoric. Indeed such authors can all too easily be dismissed as rough-hewn stepping stones on a stylistic path that leads inevitably to the perfection of Cicero. John Barsby (chapter 4) and Enrica Sciarrino (chapter 5) illustrate, however, that a more productive approach is to consider the language of Plautus and the elder Cato from the point of view of a “native Latin rhetoric,” one that strives for its own effects rather than those taught by the Greek rhetorical system; the comments of Catherine Steel (chapter 18) on this evolutionary fallacy are also instructive. Certainly Greek theory brought to the Romans a more self-reflexive approach to matters such as linguistic style and logical organization (see, e.g., Rawson 1978; Moatti 1997: 215–54); but arguably its influence on orators such as Cicero ended up taking Latin prose away from the more authentically “Roman” form cultivated by the likes of Cato and in later times Sallust (cf. Laughton 1942; Leeman 1963: 182–4). How much was gained or lost by such developments is to some extent a matter of taste. As Sarah Stroup (chapter 3) notes, the Roman reaction to these new ways of doing things was a complex one.

The remaining parts of this *Companion* deal with the Roman social context (part II), the Roman system of rhetoric (part III), individual rhetoricians and orators (part IV), and the relationship between rhetoric and literature (part V). Part II addresses in particular some of the sociological aspects of Roman rhetoric. The pursuit of oratory in Rome was closely linked with power and privilege. The right to speak at public assemblies, for example, was strictly limited to elected officials and their invitees; even in the senate, which was already an exclusive body, only a small proportion of members was called upon to contribute to debates (see chapter 6). Likewise advocacy in the courts was primarily the responsibility of the upper classes, although here more than anywhere perhaps opportunities existed for social and political advancement for those with oratorical talent. The most famous example of course is Cicero, whose successful defense in the courts of numerous influential men earned him significant political clout; but, as Michael Alexander (chapter 8) notes, oratorical skill may well have proved crucial in the political success of other men who lacked family connections at the highest levels.

The schools of declamation have also featured prominently in sociological studies of Roman rhetoric in recent decades. As these have suggested, the issues that students analyze and debate can mold quite significantly the kind of values they acquire. Anthony Corbeill’s analysis (chapter 6) demonstrates that rhetorical education is thus not simply about the imparting of practical skills; it is part of a wider process of acculturation. Moreover, practitioners of oratory at Rome were almost exclusively male, and oratorical performance became one means through which masculinity (or its opposite) could be displayed. In rhetorical texts too the rhetoric of gender combines with the rhetoric of status so as to build, reinforce, and naturalize the “rhetorical class,” the political elite of Rome. Joy Connolly (chapter 7) observes that while the recent scholarly emphasis on issues of masculinity has provided us with valuable insights into the preoccupations and stereotypes of this elite society, it has also diverted attention from other related and no less important matters. The Roman orator was not concerned solely with projecting a manly image; his aim was a much more complete depiction of social and civic competence.

The connection between oratory and power is further explored by Steven Rutledge (chapter 9), who along with William Dominik (chapter 24) challenges the view, sometimes asserted by the Romans themselves and hence by modern scholars, that oratory experienced a decline during the early imperial period. Rutledge and Dominik maintain that there were numerous opportunities for the pursuit of oratory under the emperors. Administrative issues still needed to be debated in the senate, and careers could still be forged in the law courts. Training in oratory thus remained vital for the upper-class Roman, and questions of style and technique retained a very practical relevance and urgency. And if we accept this view, the traditional scholarly portrayal of the declamatory schools also requires some refinement. Certainly declamation became a favored pastime of the elite during the early empire, but this was far from the only oratorical outlet available for ambitious aristocrats. While the schools are roundly condemned in many of the Latin sources, some of which are examined by Dan Hooley (chapter 29), we should bear in mind that educational institutions are easy targets for satire. In fact, as Martin Bloomer shows (chapter 22), the staple exercises of the Roman schools – the *suasoria* and *controversia* – provided a legitimate training in many of the skills that the young student required for oratorical success. Once we look past the contrived and lurid nature of many of the themes, which were necessary partly to create challenging points of debate and partly to engage teenage students, we can begin to appreciate how they helped the budding orator cultivate a facility in argument, analysis, and linguistic invention.

The rest of part II explores some of Rome's distinctive forms of oratory. John Ramsey (chapter 10) draws attention to the fact that speeches in the senate had to be tailored to the unique features of Roman senatorial procedure. The result was a type of speech that differed both from Greek deliberative oratory and from speeches made at Rome in different contexts. The point is worth stressing because senatorial oratory is generally not well served by the standard surveys of Roman rhetoric in English. We may contrast in this respect the *contio*, the speech at a public assembly, which has recently received comprehensive treatment (Morstein-Marx 2004). In this *Companion* its basic elements are outlined by Alexander (chapter 8), while further aspects are mentioned in several other chapters also (e.g., 2, 7, 10, 12, 17, 18, 20). The typical challenges presented by forensic oratory in Rome are addressed by Craig (chapter 20), who analyzes a wide selection of speeches delivered by Cicero in the law courts. And while invective was an integral part of Greek culture and discussions of it appear in the standard rhetorical tradition, this kind of vituperative public conflict also had a long heritage in Roman politics. Valentina Arena (chapter 12) demonstrates that Roman oratorical invective was not only informed by Greek theory but owed much also to native subliterate forms as well as to the competitive mentality of the aristocratic senator. The same applies to panegyric. If the end of the republic somewhat dampened the use of political invective, so the emergence of the principate brought with it a new oratorical challenge: the ceremonial celebration of the emperor's achievements and prestige. While there were Greek precedents for this phenomenon, the Roman imperial court was a unique institution whose procedures and expectations led to the development of a distinctive type of panegyric. As the discussions by Roger Rees (chapter 11) and Dominik (chapter 24) show, there is room for different views on the function and potential irony of imperial panegyric, and in such cases the approach taken in this volume is an inclusive one.

Part III considers Roman rhetoric as a systematic body of knowledge. The best entry to the subject is the earliest rhetorical handbooks in Latin, and Robert Gaines (chapter 13) sets out to identify the most important features of Cicero's *De Inventione Rhetorica* and the *Rhetorica ad Herennium*, as well as the various strands of the Greek tradition on which they draw. Roderich Kirchner (chapter 14) provides a synopsis of the rhetorical system of *elocutio* – a vital subject for our appreciation of the way in which Roman writers were taught to analyze and construct literary language. Kirchner illustrates that the approach of the rhetoricians to the subject was methodical and highly technical; nevertheless it provided the student with a rich store of artistic devices from which a vibrant and forceful language could be fashioned. The discussions of Jocelyn Penny Small (chapter 15) and Jon Hall (chapter 17) provide a more comprehensive treatment of memory and delivery – two of the traditional *officia* or tasks of the orator – than earlier surveys of Roman rhetoric such as those of Kennedy (1972), Clarke (1996³), and Porter (1997). In fact, as Hall reminds us, the ancient theorists themselves devoted little energy to the topic of delivery, and this lack of attention has often been replicated in modern scholarship, which has tended to focus more on the literary aspects of the surviving texts than the performances that derived from them. Hall demonstrates, however, that elements of performance and showmanship were crucial to the persuasive effect of much of Cicero's oratory. So too was his exploitation of the emotions, a mode of manipulation that depended a good deal on an effective style of delivery. Indeed it was as a live performance – not a written text – that most Romans would have experienced oratory, an important fact to bear in mind if we want to understand the full impact of Cicero's speeches.

If delivery has received only modest attention in earlier surveys of Roman rhetoric, much the same can be said for memory. Small (chapter 15) goes beyond the mere paraphrasing of ancient discussions and considers the subject instead in the light of recent scientific studies of memory and the human brain. The result is a broader appreciation of the panoply of techniques used by Roman orators to improve their natural memory. This part of the volume also highlights one of the few Roman innovations to the established Greek rhetorical tradition (and another topic often overlooked in existing surveys of Roman rhetoric): Cicero's theory of oratorical humor as set out in *De Oratore* 2. Edwin Rabbie (chapter 16) presents a detailed analysis of Cicero's discussion from a rhetorical perspective and also considers its influence on Quintilian and later rhetorical theory. Rabbie shows that Cicero in effect takes a topic on the margins of traditional rhetorical theory and transforms it into one that merits serious consideration and analysis by later writers.

Part IV discusses Rome's main writers on rhetoric and its most notable practitioners of oratory. It is here then that the reader will find synoptic surveys of established figures. The most famous, of course, is Cicero. James May (chapter 19) addresses his rhetorical writings, while Christopher Craig (chapter 20) considers his achievements as an orator. As May mentions, Cicero himself would have rejected the label of rhetorician since he considered himself to be primarily a statesman and an orator, roles that the aristocrat, not the rhetorician, were traditionally expected to fulfill. Nevertheless, his rhetorical writings stand as one of his most impressive scholarly legacies. Craig by contrast analyzes Cicero not just as a Roman citizen who exploited public speaking as a route to prestige and power but as the defining

figure in Roman oratory. In this survey of his lengthy career, Craig examines both the extraordinary range of Cicero's orations and the various ways in which modern scholars have approached them.

The major figure of the empire is Quintilian, whose *Institutio Oratoria* presents us with the largest handbook on rhetoric to survive from the ancient world. Jorge Fernández López (chapter 23) draws attention to the valuable information that it provides on most of the contested issues in ancient rhetorical theory and the usually sane and incisive responses it supplies to them. Quintilian's other legacy is as a teacher: his treatise gives perhaps the best first-hand account of educational principles and methods from the Roman world. Other important figures from this period are Tacitus and Pliny, treated by Dominik (chapter 24), and the elder Seneca, discussed by Bloomer (chapter 22) in his assessment of the influential Roman practice of declamation. In addition, part IV discusses rhetoricians, orators, and grammarians who were prominent in their day but about whom we unfortunately have only limited information. Steel (chapter 18) discusses the major orators of the republican and imperial periods not covered in the other chapters, including their styles, activities, careers and connections. Charles McNelis's discussion (chapter 21) addresses the social position and function of the grammarian and rhetorician in Roman society, including how the information and training offered by them was important in helping to maintain the status of the elite in the social hierarchy. The Second Sophistic, a cultural movement of the second and third centuries CE, is mainly associated with Greek epideictic rhetoric but, as Graham Anderson shows (chapter 25), its values and assumptions both operated in and influenced the intellectual environment of the Roman empire. Moving beyond the world of classical antiquity, John Ward (chapter 26) offers an overview of the pervasive influence of Roman rhetoric, especially the handbooks, on the culture of the Renaissance and beyond in a variety of modes and contexts.

Part V, the final section of this *Companion*, addresses the influence of rhetoric on Latin literature, both from the perspective of individual poets such as Ovid and the younger Seneca, and from a broader generic perspective, with reference in particular to epic, satire and historiography. Over the last few decades or so discussion of this topic has largely disappeared from the literary critical agenda. There are perhaps several reasons for this. The first is simply the profusion of new theoretical approaches now available to be applied to literary works. Given that scholars during much of the twentieth century catalogued or described in detail the rhetorical tropes employed by Vergil (e.g., Billmeyer 1932), Lucan (e.g., Morford 1967), Tacitus (e.g., Sinclair 1995), and other Roman writers, it is natural enough for a later generation of critics to seek new paths. But perhaps more significantly earlier studies tend to represent some of the Roman poets, including Ovid (e.g., Wilkinson 1955: 97) and the younger Seneca (e.g., Canter 1925: 89), as being interested primarily in achieving immediate rhetorical effects and short-lived conceits. More recent scholarship sets out to explore the wider artistic accomplishments of these poets. Arguably, however, the pendulum has swung too far. Emanuele Narducci (chapter 28) maintains that rhetoric in its wide variety of forms makes up an essential part of Vergil's poetry and that its presence at times has been minimized by scholars. This tendency to downplay the role of rhetoric is particularly evident in recent book-length studies of Lucan (see, e.g., Masters 1992; Bartsch 1997; Leigh 1997), in which rhetoric is scarcely mentioned, as if even to refer to this subject would be to invalidate Lucan's poetic credentials.

The chapters in this final part of the volume aim to offer a balanced reappraisal of some of these contentious issues. Matthew Fox (chapter 27) argues that our modern conception of the value of literature and rhetoric derives largely from a hierarchical view of literary genres that does not always correspond to that of the Romans. We thus need to think broadly when examining the role of rhetoric in literature. Moreover, different poets can exploit rhetoric in different ways depending on their artistic aims and poetic vision, as Narducci demonstrates in his study of the epics of Vergil and Lucan (chapter 28). Ovid deploys rhetoric in yet another fashion, at times exploiting it in a show of ludic virtuosity, according to Ulrike Auhagen (chapter 30), and on other occasions apparently highlighting the very limitations of rhetorical form and argument. The portrayal of Medea in *Metamorphoses* 7, for example, finds Ovid provocatively opposing logical reasoning and its rhetorical accoutrements of argument and evidence against the sheer power of emotion.

Our appreciation of these issues is further complicated by the fact that these literary exponents of rhetoric were writing for a readership (or audience) that was itself trained in rhetoric to a degree few of us are today. As Cynthia Damon observes (chapter 32), this is a crucial issue to bear in mind when we consider the narratives presented by Roman historians. These writers had been long trained in the composition of *oratorical* narrative in which it was not the truth that mattered but the truth-like or plausible. While we today may apply stringent standards of veracity to our historians, this may not have been the case for the Roman reader, who could perhaps appreciate the finer points of narrative invention and embellishment for what they were. In addition, rhetoric came to have a certain ideological bearing that writers could exploit in their literary works. These are especially prominent in satire where Roman identity is often constructed and revealed by its use of rhetorical models and strategies (see chapter 29). Similarly Marcus Wilson (chapter 31) illustrates how Seneca shows himself in his *Epistles* to be aware fully of the place of rhetoric in his acculturation as a Roman. These two chapters illustrate the potential for rhetoric's contribution to the cultural identity of Roman society even within a primarily literary context.

To confront Roman rhetoric, then, is to confront much more than a theoretical system of persuasive speech. Rhetoric's close association with social and political power, with public display and Roman tradition, and with elite education and literary production transformed it into a vibrant cultural phenomenon. It is this vital and wide-ranging role of rhetoric in Roman society that the following chapters set out to explore.

CHAPTER TWO

Modern Critical Approaches to Roman Rhetoric

John Dugan

An essay that promises an overview of modern critical approaches to Roman rhetoric begs basic questions best addressed at the outset. Each of the central terms of this investigation (“modern,” “critical approaches,” and “rhetoric”) is open to a range of interpretations. After establishing a firmer notion of what these expressions mean (or, at the least, exploring why it is difficult to fix stable definitions to these concepts), I will offer a survey of some of the most influential recent trends in scholarship on Roman rhetoric. Given the dynamism of current work on Roman rhetoric, this survey will be suggestive rather than exhaustive. My goal will be to offer an overview of certain exemplary works of scholarship in order to illustrate some general preoccupations within the contemporary research.

“Modern” is a term that brings with it obvious perils, both practical and epistemological. Of the former sort, any essay that has “modern” in its title is advertising its own obsolescence: what might appear modern now will inevitably appear in just a few years either quaintly antiquated or blind to the authentically modern developments, ones that in retrospect will be shown to be most consequential. The claim to offer the modern unavoidably is an exploration of developments that, recent though they may be, are nonetheless events of the past. Yet, despite its inevitable uncertainty, this is an attempt to isolate trends that will carry on into the future. Moreover, one must confront the irony that it is precisely modern (or, more specifically, postmodern) critical insights that have taught us to be skeptical of narratives that follow a naturalistic trajectory from humble origins up to the fulfillment of some natural *telos* – some flowering of understanding for which previous developments stand as preludes. The influential theorist of postmodernity Lyotard (1984: xxiv) presents the defining quality of this condition as an “incredulity toward metanarratives,” that is, a suspicion of grand overarching stories that claim to provide authoritative, complete accounts of phenomena. When one labels some approach or other as “modern,”

one by implication is constructing a teleologically driven plot which presents the modern as the end toward which the events of the past have unknowingly been working all along. Ironically, the very idea of offering the modern is by this account old-fashioned. Even in antiquity, Cicero himself in his dialogue *Brutus*, a history of Roman oratory, cautions against unfurling the hubristic banner of modernity with its implicit disparagement of one's predecessors. Cicero apostrophizes Ennius and takes him to task for denigrating the earlier poet Naevius and disguising the debts he owes his forerunner (*Brut.* 75–6; cf. Hinds 1998: 63–8). In other respects, however, Cicero's approach in *Brutus* is itself essentially teleological (see chapter 5).

Yet, even in the face of these cautions, does the definition of the “modern” constitute an unavoidable impasse? To get beyond this methodological stumbling block we can take a more practical solution offered by Stanley Fish's idea of the interpretive community, that is, of a group of readers defined by a constellation of shared fundamental beliefs. These interpretive communities “grow larger and decline, and individuals move from one to another; thus, while the alignments are not permanent, they are always there, providing just enough stability for interpretive battles to go on, and just enough shift and slippage to assure that they will never be settled” (Fish 1980: 171–2). Fish's notion of the interpretive community provides us with a model for analyzing the sociology of Roman rhetoric studies. By thinking of the discipline as made up of different groups of readers either divided or united by their individual interpretive practices and goals, we can account for both the heterogeneity of the field of Roman rhetoric and what unites the discipline as a coherent entity. Fish's approach describes how groups of readers within a field constitute themselves rather than establishing hierarchies of one community over another. Fish's model does not necessarily privilege modern interpretive practices over older ones, thus allowing us to avoid becoming implicated in teleological views of scholarship.

To fix, however provisionally and imperfectly, a reference point to define the general grouping of scholars now actively working in the field we may pose this question: what would this interpretive community define as fundamentally old-fashioned, traditional scholarship, that is, work essentially untouched by more recent trends within the field? In other words, what would classicists who are professionally engaged with the interpretation of Roman rhetoric (an admittedly heterogeneous group) define as the zero-grade of modernity in scholarly writing in the field? By determining work which one can call essentially nonmodern, we can progress more confidently to define the modern.

Since rhetoric has a long history and had a robust cultural presence within ancient culture, we have examples within antiquity of types of scholarship that we can legitimately call “traditional” and therefore nonmodern. These sorts of rhetorical (or, more specifically, meta-rhetorical) texts have contemporary analogues that are essentially unchanged across time. If we eliminate actual handbooks to guide the aspiring public speaker (which are not properly works of scholarship) we have three such traditional genres: the scholarly commentary on an oration, the history of oratory, and the catalogue of oratorical tropes. The generic rules of these sorts of texts usually follow a standard script. For instance, Asconius' first century commentary on Cicero's speeches is not fundamentally different from Berry's (1996) late twentieth-century commentary on Cicero's *Pro Sulla*; each aids the reader with historical contexts, glossings of difficult expressions, and the like.

In our search for works of scholarship to serve as paradigms of nonmodernity in rhetorical studies two examples present themselves. Kennedy's magisterial histories of Greek and Roman rhetoric (1963, 1972) and Lausberg's *Handbuch der literarischen Rhetorik* (1973², English edn Lausberg 1998) are particularly apt illustrations of nonmodern scholarly work. While still indispensable reference works within the field (one would be hard-pressed to find a work on Roman rhetoric that does not include one or both of these studies in its bibliography), Lausberg and Kennedy illustrate qualities that the general interpretive community of classicists who work on rhetoric would regard today as belonging to an earlier tradition of scholarship. Though similar in being nonmodern, each takes precisely opposite perspectives on the phenomenon of rhetoric. Kennedy's history is a diachronic investigation that examines eloquence from what Kennedy regards as its origins in the Homeric epics straight through Greek and Roman literary history; in contrast, Lausberg's orientation is synchronic, organizing his work as an anatomizing of the whole of Greco-Roman rhetorical thought into its constitutive categories without regard to change through time. Though Kennedy and Lausberg approach Greco-Roman oratory in fundamentally different ways, their works share an implicit belief that ancient rhetoric is a coherent finite phenomenon of which one can present an account, either historical or systematic. Lausberg's catalogues of tropes present all of Greco-Roman rhetorical thought as an unbroken text to which his work serves as an exhaustively detailed index. Lausberg in essence condenses all ancient rhetoric into tidy headings without distinctions drawn between different theorists. This method of exposition inevitably smoothes over the variations that separate different authors and works, and renders invisible the fissures and discontinuities within that tradition. Likewise, Kennedy treats rhetoric as a coherent phenomenon, not according to thematic categories, but as a teleologically driven narrative that emphasizes the evaluation of the accomplishment of different speakers and rhetorical theorists. This orderly account of what constitutes "rhetoric" allows for little consideration of either the influence of rhetoric upon other literary genres or vice versa or of the more general cultural significance of rhetoric within Greek and Roman society. Both Kennedy and Lausberg share the assumption that rhetoric in the ancient world is discrete, stable, and transepochal.

What is it about these works that one would define as old-fashioned? The very canonicity of their accounts of rhetoric, and ubiquity of these works within scholars' bibliographies, in fact renders their function as examples of nonmodern scholarship more persuasive. Far from being inadequate works of scholarship, they are classics in the field. The authority of their accounts is unquestionable and reconfirmed by the recent reappearance of Kennedy's works in a one-volume distillation (Kennedy 1994; for an excellent review see Goldhill 1995a) and the translation of Lausberg's work into English (1998, complete with a preface penned by Kennedy himself where he confesses that Lausberg has been "the reference to which I first turn for technical information about rhetoric"; it is intriguing to imagine how Lausberg's synchronic account of rhetoric may have influenced Kennedy's diachronic rendering). Yet how these works treat ancient rhetoric and the questions they ask are very different from what is prevalent within current scholarship. In general terms, we could say that Kennedy's histories and Lausberg's anatomy of rhetoric are fundamentally traditional works of scholarship that resemble their predecessors in antiquity: the former writes a

history of rhetoric, marked off by periods and teleologically driven like that of Cicero's *Brutus*; the latter's exhaustive account of rhetoric's constitutive elements shows precisely the passion for taxonomic completeness that is the defining characteristic of the ancient rhetorical handbook. Kennedy's and Lausberg's works can be said to be extensions of the classical tradition of rhetorical scholarship, expert analyses of ancient rhetoric using similar criteria and asking similar questions of the rhetorical tradition that an ancient rhetorician might.

These works, written several decades ago, could perhaps more accurately be described as "old" rather than "old-fashioned" or "conservative." Their works do not reject modern trends within the study of Roman rhetoric; they are simply chronologically prior to those developments. In order to examine an example of what could be described as not simply "nonmodern" but "antimodern" rhetorical scholarship we may consider Vickers' study *A Defence of Rhetoric* (1988). His deeply learned and profoundly conservative book has a thorough and sustained commitment to traditional views of what constitutes legitimate scholarship on rhetoric. Vickers' wide-ranging study presents both a survey of the history of rhetoric from antiquity to the Renaissance and a justification of the interest of rhetoric as a field of study. Vickers' account of rhetoric's history is an explicitly teleological one that treats it as a continuous phenomenon, one born in Greece, nurtured in Rome (though with some missteps along the way: Vickers 1988: 29–38 finds fault with Cicero's theorizing), interrupted in the Middle Ages (on which see Vickers 1988: 214–53), and revived in the Renaissance. Of particular interest for my purpose is Vickers' concluding chapter in which he seeks to uncover "The Future of Rhetoric" (1988: 435–79). His stated goal is to "survey the current state of rhetoric studies and try to judge which directions are likely to prove fruitful, and which not" (1988: x). Here Vickers' theme of the defense of rhetoric changes focus from apologetics on behalf of rhetoric in the face of external suspicions and toward internal threats. Vickers (1988: 447) seeks to police the disciplinary boundaries of rhetorical studies from interlopers lest rhetoric become "fragmented and then subordinated to an alien enterprise," fields which in Vickers' account include linguistics, philosophy, historiography, and modern (particularly deconstructive) literary criticism. Interdisciplinary interest in rhetoric, a phenomenon that in my opinion and from my perspective of 2006 has brought about a welcome revival of rhetorical studies, is for Vickers a looming threat to the integrity of the field.

Vickers' unspoken assumption is that there is such a thing as an authentic, pure, rhetorical tradition that must be protected from the rude advances of those uninitiated into its mysteries. His account of the "Future of Rhetoric" reprises the rhetorical maneuvers of earlier self-styled defenders of Eloquence, showing his debts to a long tradition of rhetoricians obsessed with her purity. Like Vickers, Cicero presents Eloquence as a cultural phenomenon under siege. For Cicero, she is a virginal figure (*adulta virgo*) in need of defenders to protect her chastity (*Brut.* 330; see Stroup 2003). Repeating tropes from ancient theorists who saw the vitality of rhetoric in physiological terms of bodily health and muscular vigor (on this issue see Dugan 2001), Vickers (1988: 442) laments that, in the hands of modern literary theorists and linguists, rhetoric is "atrophying." Vickers' likely unconscious use of figures drawn from discursive practices from antiquity shows how traditional a view of rhetoric he espouses. Vickers helps my task of presenting "modern" approaches to Roman rhetoric since he offers an explicit ideology of traditional rhetorical

scholarship, a phenomenon with roots traveling far back within rhetorical thought. Vickers' book provides an interesting document of resistance to modern trends of rhetorical studies which began to break forth in earnest around the time of its publication in 1988, though it has the ring of an effort to put back toothpaste already out of the tube. It is a text, moreover, that invites an interpretation of its own rhetoric to uncover how its traditionalism is stamped on the very tropes it deploys.

The definitions of "critical approaches" and "rhetoric" are inevitably interdependent; the methodological framework necessarily serves to define both the nature of any area of inquiry and the sort of questions that one may ask within that discourse. One cannot have a notion of what "rhetoric" is that is divorced from method: the one engenders the other. Developments within literary criticism have led to the formation of a more expansive notion of what rhetoric is and how one may study it. While this broader definition of rhetoric can be seen as a widening of the parameters from those set in antiquity, even within the ancient world we find theorists who have anticipated this view. While contemporary critical theory provides scholars with insights into the ways that rhetoric worked within ancient culture, the view of rhetoric as a powerful and protean discourse is not an anachronistic invention of modern scholars. Gorgias of Leontini (ca. 485–ca. 380 BCE), that foundational figure regularly credited with inspiring Athens with a passion for rhetoric, in his *Defense of Helen* presents speech (*Logos*) as a great tyrant which, far from slavishly representing reality within linguistic terms, instead is the cause of actions, a shape-shifting dynast that reverses tidy polarities: Gorgias' *Logos* is both prose and poetry, respecting no generic boundaries. The obsessive preoccupation within the rhetorical tradition of whether rhetoric was a legitimate art (a question famously debated Plato's *Gorgias*) is symptomatic of its inherent slipperiness. Likewise Longinus in *On Sublimity*, though very much part of the classical rhetorical tradition, traverses the boundaries between prose and verse, finding the sublime in not only Demosthenes and Cicero, but Homer and Sappho. Even so relatively traditional a scholar as Quintilian betrays his own uncertainty about what rhetoric was as he must wrestle with various conflicting definitions (*Inst.* 2.15). Such uncertainty about the status of rhetoric is symptomatic of the fact that rhetoric within the ancient world did not inhabit clearly delineated confines; there is no edenic world where rhetoric's elusiveness was not present.

While, even in antiquity, "rhetoric" is a more complicated phenomenon than it is given credit for being in the reductive and constrictive definitions of some scholars of rhetoric (both ancient and modern), developments in contemporary literary theory have led to a renewed vitality of rhetoric within critical thought. In general terms, the more extensive definition of rhetoric current in literary theory constitutes a movement away from the constrictive notion of rhetoric as an art of public speaking and toward the idea that rhetoric is a basic component of all language. This is not the occasion to offer a detailed account of the intellectual developments which led to the explosion of critical theory in the second half of the twentieth century (those interested in a reliable and readable account have Eagleton 1996²). Yet one can say in general terms that insights into the nature of language proved a major impetus for literary study. This "linguistic turn" (to borrow a phrase from the philosopher Richard Rorty) in the humanities and social sciences emphasized the notion that there is no way to get beyond language: the world as we know it comes to us as a linguistic phenomenon.

The return of rhetoric from the periphery to the center of literary study can be seen as a part of a large-scale narrative of the recuperation of rhetoric in the wake of Romantic condemnation of it as an art of deception and a cobweb-cluttered warehouse of dusty tropes (see Bender and Wellbery 1990b). Our age, one suspicious of claims to the “truth,” is much more comfortable with discussion of figures of speech and persuasion than declarations of having access to transcendent reality. Here Nietzsche’s (1989: 250) definition of Truth in rhetorical terms as a “mobile army of metaphors, metonyms, and anthropomorphisms” is a touchstone text in the reemergence of rhetoric within modern thought. In Nietzsche’s account, truth is reduced to a figure of speech. Structuralist, poststructuralist, and deconstructive critics found in ancient rhetoric a treasury of figures of speech and texts that engage issues of the nature of language and its manipulation, one, moreover, with the prestige of being foundational texts within western thought. The rhetorical revival is something of a circuitous return to a neglected ancestor, as Barthes (1986: 6) observes:

Literary structuralism has a glamorous ancestor, one whose historical role is in general underestimated or discredited for ideological reasons: Rhetoric, grandiose effort of an entire culture to analyze and classify the forms of speech, to render the world of language intelligible.

Structuralism was the ambitious project to dissect culture into its constitutive linguistic units, anatomizing it into the polarities (culture and nature, cooked and raw, male and female) through which people make their world intelligible. Structuralism’s taxonomical analyses of culture reprise how ancient rhetorical theory carves up language into its various units. This genealogical resemblance between rhetoric and the structural analysis of culture set the stage for the study of rhetoric as an anatomy of ancient language and the culture of which that language is an expression.

In response to structuralism other scholars questioned the legitimacy of viewing language as a closed and tidy system, arguing instead that language was inherently unstable. Such deconstructive critics pulled at the margins of texts until they unraveled; they sought to show how literary works were inherently at odds with their own structures of meaning. The primacy of language in structuralist and poststructuralist criticism provided a context for a revival of interest in classical rhetoric’s accounts of the tropes of language. Leading critics found in the ideas and texts of the ancient rhetorical tradition fruitful ground for the working out of their theories. Derrida’s critique of western metaphysics sought to reverse the hierarchy that placed the spoken over the written word. Derrida targets Plato’s *Phaedrus* (one of the richest explorations of rhetoric in the philosophical tradition) and zeroes in on the inherent ambiguity of Plato’s comparison of writing to a drug, where the word *pharmakon* can mean both remedy and poison (Derrida 1981b). Rhetoric was central to De Man’s deconstructive project, exploring the irresolvable tensions between the rhetorical, figurative meanings of language and their literal significance. De Man seizes upon the moments when a text’s rhetorical and grammatical sense are in conflict, when “the text does not practice what it preaches” (De Man 1979: 15). So ingrained was the habit of using rhetorical terms within modern literary theory that Bloom, in his *The Anxiety of Influence* (1973), appropriates various Greek and Latin terms

(*clinamen*, *tessera*, *kenosis*) to describe ways in which poets misread their predecessors. In the absence of suitable preexisting rhetorical terminology, Bloom resorts to constructing his own set of classical-sounding tropes.

Deconstructive and poststructuralist criticism often treats literary texts as ahistorical entities riven by internal tensions and inconsistencies. Although deconstructive critics may have recourse to the classical rhetorical tradition in their project of dismantlement, their interpretive strategies do not have obvious applicability to the critical understanding of ancient rhetoric and oratory. A critical approach that ignores history seems incompatible with texts of speeches, works usually read as framed by often precise historical details and contingencies. More recent trends within criticism that embrace the historical dimension of literary texts seem to offer more suitable interpretive practices for the study of Roman rhetoric. Critics practicing this “new historicism” have sought to reintegrate history within the study of literature. This critical movement draws inspiration from both Michel Foucault’s insights into the workings of power within institutional practices, a line of inquiry that shows the link between knowledge and power (see Foucault 1980), as well as the anthropologist Geertz’s practice of “thick description,” the reading of a culture as if it were a textual entity (see Gallagher and Greenblatt 2000: 20–48 on Geertz’s influence on the new historicism). In essence, new historicist critics are interested in reading literary texts as cultural expressions, often eliding distinctions between “serious” “literary” texts and ephemeral works; see for example Greenblatt’s famous analysis of cross-dressing in Shakespeare’s *Twelfth Night*, which compares the play with contemporary accounts of Galenic gynecology (Greenblatt 1988). Within culture’s “text” Shakespeare and occasional anecdotes are equally expressions of their world, representations that can be juxtaposed to reveal startling similarities. Within the interpretive practices of the new historicism, hierarchies of literary value are leveled on the grounds that all texts are manifestations of their cultures, and that literary canons are themselves cultural constructs.

The reemergence of rhetoric within structuralist and poststructuralist literary theory, followed by the return of a historical dimension within critical thought, sets a basic framework for much work now being done in Roman rhetoric. However, the revival of rhetoric within contemporary literary theory, for the most part, has cast only an indirect influence upon work done on classical rhetoric. In fact, scholarship on Roman rhetoric that explicitly engages contemporary critical theory is more the exception than the rule (Gunderson 2000 and 2003 are notable examples of scholarship that directly engages with theory). Instead, as is so often the case with intellectual life, theoretical trends obliquely shape the sorts of scholarship conducted in the academy. Moreover, Classics as a discipline has generally been slow to accept methodological innovations, often embracing the critical approaches that colleagues in English departments have recently abandoned. Given the lingering conservatism within Classics it is not surprising to find theoretical influences manifesting themselves in more diffused and less overt forms – less in terms of explicit theoretical principles and instead a matter of general trends and emphases. While the explicit influence of new historicist interpretive strategies in scholarship on Roman rhetoric is not widely evident, this movement toward the embrace of historical context and the reevaluation of hierarchies, of both literary genres and individual authors, are certainly part of contemporary scholarship on rhetoric.

Before moving to consider specific areas of scholarship on Roman rhetoric that allow us to sketch recent methodological developments, we should first consider the general shared characteristics of these approaches discussed thus far. A common feature of much recent scholarship on Roman rhetoric has been the movement away from treating rhetoric as the transhistorical phenomenon of “eloquence,” an ideal that various orators and rhetorical theorists in antiquity have, with varying degrees of success, instantiated either in practice or theory. Rather, rhetoric is treated as a cultural construct, something that is embedded within its society. As a consequence of rhetoric’s status as an expression of, and influence upon, its culture, one, moreover, that enjoyed extraordinary political, social, educational, and literary prestige and authority, scholars analyze rhetoric not solely within the domain of public speaking but as a body of ideas and practices that radiates into manifold aspects of the Roman world. Scholarship on rhetoric has taken a centrifugal trajectory, exploring rhetoric and oratory, not as closed discrete systems, but as dynamic discourses that shaped a multiplicity of aspects of ancient culture. Rhetoric becomes a launching point to investigate other aspects of the ancient world which it influenced.

Modern approaches reevaluate both rhetoric’s importance and its influence, but entail similar trends of recentering and reassessment. The tidy hierarchies that have traditionally set the structure for work within Roman rhetoric and oratory have undergone a thorough reshuffling. The labels of “major” and “minor” that traditionally would distinguish the “golden” eloquence of the late republic from its “silver” of the empire, the importance of Ciceronian oratory versus frivolous imperial rhetorical exercises, have begun to fade. As the critical discourse moves away from traditional modes of analysis, so too it is abandoning the values that were taken as “natural” within those schemes. Rather than recapitulate the interests and evaluations of, say, a Quintilian, modern critical approaches to rhetoric seek to break free from such dogmas. Instead of uncritically reprising the implicit hierarchies within the ancient critical tradition, modern approaches elide the issue of evaluation and instead examine the various refractions of the rhetorical tradition as equally valuable cultural artifacts. The habits of the cultural anthropologist have replaced the traditional literary critic. So too rhetorical studies have embraced the breaking down of boundaries between rhetoric and other genres, exploring their mutual penetration (rhetoric and poetry, rhetoric and historiography). Recent approaches to ancient rhetoric present something of a paradox: while critics have moved away from piously treating rhetorical texts as constituting a coherent grand inquiry into eloquence, they are nonetheless treating the texts within the rhetorical corpus more seriously as culturally significant works, not trivial ephemera.

A major organizing category for much innovative work now being done in Roman rhetoric and oratory flows from this insight that rhetoric provides a cultural/linguistic map for the Roman world. The ways that rhetorical education offered guidelines for those wishing to become assimilated to Rome’s ruling elite have attracted scholars’ attention, as in Bloomer’s (1997c) investigation of how elementary rhetorical exercises trained Roman youths to assume the positions of authority for which their culture was grooming them. Rhetorical schooling does not simply mold the elite’s youth into their proper roles as mature agents within society; it also provides guidelines for those outside the ruling classes with the linguistic protocols for their social advancement. Such is the thesis of Sinclair’s investigation of how the anonymous first-century BCE

treatise *Rhetorica ad Herennium* provides its reader with the clues to successfully “‘speak the language’ of his social superiors” (Sinclair 1993: 561). Bloomer’s (1992) study of Valerius Maximus offers a similar investigation of how that author acculturated the new nobility emerging under Augustus. These studies place texts of rhetorical theory within their cultural and political context, and examine how they functioned within those circumstances.

Symbolic of a number of related trends within scholarship in Roman rhetoric is the reemergence from relative obscurity of declamatory rhetorical exercises, the *suasoriae* and *controversiae*, respectively, speeches that give advice within a historical, fictional, or mythological situation, and speeches that argue a particular side of an (often outlandishly) hypothetical law case. These exercises, though a mainstay of oratorical education in antiquity, often draw the fire of ancient critics who find fault with their unreality, analyzing them as symptomatic of cultural decline (e.g., Tac. *Dial.* 35). Contemporary scholars have likewise found these exercises to be evidence of rhetoric’s deterioration, provoking often hostile responses (for a representative sampling, see Gunderson 2003:4–5). These declamations show several qualities which used to be routinely disparaged in Latin literary studies but which have now become more favorably evaluated. A series of related hierarchies becomes questioned in the study of declamation (“real” oratory over “fiction”; authenticity over insincerity; and, as we have seen, “golden” republican oratory over its “silver” imperial counterpart; Cicero over his decadent successors). The revival of these exercises as an important area of inquiry reverses these tidy assumptions, signaling a sea-change in the way that Roman rhetoric is now studied. Once placed within the domain of serious critical interest, even literary appreciation, these declamations have yielded a range of valuable readings. Beard’s (1993) essay pioneered this recuperation with a bold and provocative thesis: declamation, far from being insignificant, functioned within Roman culture in as important a way as myth within Greek culture. While other scholars have either lamented the problem that Romans appeared not to have a mythology like the Greeks, or futilely search for an indigenous Roman mythological discourse by claiming that Indo-European mythological memories loom in Roman culture, Beard suggests that the *suasoriae* and *controversiae* provided the venue for Romans to explore ethical questions that myth furnished in Attic tragedy. Beard’s essay not only questions the hierarchies that subordinate declamation to other forms of serious oratory, but, more ambitiously, uncovers the distortions within scholarship that arise from unstated assumptions that view Greek culture as implicitly superior to Roman.

This renaissance of scholarship on declamation continues with Bloomer (1997c), who finds in them modes of inculcating in the young the values of the Roman elite; with Richlin (1999), who explores how these exercises obsessively return to the issue of Cicero’s death and dismemberment, contextualizing his decapitation within a larger cultural framework; and with Kaster (1998), who sees in the *suasoriae* and *controversiae* a process of Cicero’s canonization in kitschy sentimentality where the declaimers’ emulation of Ciceronian eloquence is a crucial stage in the process of Cicero’s becoming a cultural icon. Roller (1997) likewise explores the declaimers’ various “takes” (*colores*) on Cicero’s death scene, arguing that the accounts of Cicero’s demise actually originated, not in accounts by historians, but in these declamatory flights of imagination. Yet by far the most developed reading of

these texts, and one that is framed by a theoretically sophisticated analysis, is Gunderson's (2003) full-scale investigation of declamation in psychoanalytic terms. Far from lamenting the unreality of declamation, Gunderson instead seizes upon this aspect of the speeches to read them as the working of the Roman cultural unconscious. This book shows a commitment to, and deep engagement with, the ideas of modern critical thought (Foucault, Lacan, and the gender theorist Butler are especially influential) that makes it unusual within Roman rhetorical studies.

Another trend in recent scholarship also reevaluates apparently unproblematic and perhaps unpromising elements of Roman rhetorical thought. From the perspective of stylistics, the Roman idea of *Latinitas* might appear an unmarked and ordinary concept – simply getting Latin right. The context of the culture wars of late republican Rome, however, shows that *Latinitas* could be an expression of politics. Sinclair (1994) illuminates why political figures like Caesar and Cicero would have troubled themselves with composing works that frame competing claims on what constitutes *Latinitas*. Sinclair shows how the politics of *Latinitas* led Caesar to write a two-volume work on theoretical linguistics during a crossing of the Alps in 54 BCE, a work that in part rebuts Cicero's views on authentic Latin in *De Oratore*. Sinclair's interpretation explains how even apparently disengaged rarified intellectual discourses can be expressions of political struggles simmering just beneath the surface.

Canonical elements of rhetorical theory that have until recently been largely overlooked within the modern study of rhetoric have also become the focus of intense scholarly attention. Following the widespread reemergence of the study of the body within historical investigation, the orator's body in performance (organized within rhetorical theory under the rubric of *actio* [delivery]) has generated much interest. The basic question of how Roman orators actually delivered their speeches, especially the question of the gestures that they employed as accompaniments to their speeches, has been explored in its own right (see Aldrete 1999 and Hall 2004). The cultural significance of gesture in Rome has also become the subject of analysis (Corbeill 2004). However, it is the specific issue of the relationship between oratorical delivery and theatricality that has attracted particular scholarly attention. Ancient discussions of delivery repeatedly emphasize the peril that an orator may fall into a theatrical delivery that may undermine his masculine self-presentation. The topic of the intersection of theatricality and masculinity in oratory has inspired much work (Graf 1991; Richlin 1997; Gunderson 2000 is a book-length study), earning its own chapter in the present handbook. Oratorical delivery, because it contains issues that engage the interest of contemporary scholarly analysis (gender studies; the history of the body), has thus been refigured from the far periphery of scholarly attention to a position near the center.

Like delivery, other canonical aspects of rhetorical theory have undergone similar processes of reevaluation and reinterpretation in the light of contemporary intellectual concerns. Both delivery and memory are areas of rhetoric that involve oratorical performance that do not have obvious pertinence to the study of the texts of ancient speeches. While how to deliver and memorize a speech were central practical concerns for ancient orators, they do not offer the historian or literary critic information directly applicable to the interpretation of orations themselves. Yet as the emphasis in scholarship has moved away from issues of stylistics to the cultural significance of rhetoric, these neglected aspects of rhetorical theory have inspired renewed critical

attention. Discussions of artificial memory in works of rhetorical theory allow us to study the ways in which Romans organized and retrieved information within their minds, as Small (1997) has shown. Humor, while a somewhat eccentric element within Cicero's rhetorical theory, is likewise a rich area for the study of Roman cultural practices, as Corbeill's (1996) study of the topic illustrates. Focusing upon an aspect of Roman oratory regularly omitted from ancient rhetorical theory (Cicero's extensive discussion of wit in his *De Oratore* is an exception), Corbeill constructs a wide-ranging investigation of political humor in the late republic within a broad cultural context. Following a similar strategy of teasing out the implications of a concept within ancient rhetorical thought, May (1988) uses ancient theories of *ethos* (character) as a starting point for his global analysis of Cicero's presentation of his persona throughout his oratorical career.

It is not just in the area of Roman rhetorical theory but also in the study of the texts of speeches that there have been important shifts in the intellectual discourses. An early contribution to this new wave within the study of Roman rhetoric was Vasaly's (1993) subtle and illuminating study of the role that visual culture plays within Ciceronian oratory. Vasaly shows how Cicero exploits not only the visual significance of the ambience of a speech's performance, but also explores how Cicero conjured images of the material world within the minds of his audience in the service of his persuasive goals. Not simply an attempt to return the texts of Cicero's speeches to the context of their performance, Vasaly's book is an exploration of the semiotics of the material world as it is represented and harnessed for persuasion within Cicero's orations. This book's strategy of recontextualization is a powerful demonstration of the limitations of reading speeches solely according to the guidelines provided within texts of rhetorical theory. Instead, Vasaly's analysis encompasses archaeology, topography, semiotics, and studies in Roman visual culture and thus presents a vivid demonstration of the value of an interdisciplinary approach to Roman oratory.

Other recent studies of Roman oratory have sought to illuminate Roman political institutions and thought. Riggsby (1999) analyzes the speeches given at Roman criminal courts of the late republic (the *iudicia publica*) and offers a startling and counterintuitive discovery both about the function of these courts and the late republican Roman understanding of the "crimes" they were meant to adjudicate: that the categories of crime according to which these courts organized their business (e.g., electioneering [*ambitus*], public violence [*vis*]) were nebulous and mutable designations quite unlike our overarching notion of what constitutes "crime." Yet, in the Roman mind, all these acts fell within the general rubric of acts that posed a fundamental danger to the community as a whole. Following a similar interpretive trajectory, Morstein-Marx (2004) analyzes another form of late republican oratory, the mass public speech (*contio*). Like Vasaly, Morstein-Marx takes seriously the performative ambience of Roman oratory, analyzing the *contio* within the context of the location and conditions of its performance. Using current political and communications theory, Morstein-Marx offers a fresh interpretation of how these speeches at popular assemblies, regardless of their democratic appearance, were instruments through which the ruling elite shored up its power.

We may now turn from scholarship on rhetorical theory and oratory proper to work that investigates the relationship between rhetoric and other literary genres (see too chapter 27). Here again we have examples of trends from outside Classics following

paths similar to those within the discipline. Hayden White has investigated how historiography, for all its pretensions to offer unmediated investigation into the past, instead follows the narrative strategies borrowed from other literary forms (see e.g. White 1973). So too in the study of ancient historiography scholars have explored the influence of rhetorical modes of thought on historical texts (Woodman 1988; Wiseman 1979a). It has been, however, criticism that explores rhetoric's relationship with poetry that has provided particularly illuminating investigations. Poetry, in the Romantic imagination, is the literary form defined by its opposition to rhetoric. Yet recent work has demonstrated that within antiquity rhetoric and poetics were interrelated discourses (see esp. Walker 2000). Among studies of poetry in light of rhetorical theory, Cairns's (1972) work *Generic Composition in Greek and Roman Poetry* marked an important early stage. Cairns reads an impressive range of Greek and Roman poetry through the lens of literary genres articulated by rhetorical theory, especially in the works of Menander, the third-century rhetorician who constructs elaborate taxonomies of different sorts of ceremonial speech. Menander's accounts of the generic characteristics of various kinds of epideictic speeches (farewells [*propemptika*], birthday celebrations [*genethliaka*], and the like) offer guidelines for the understanding of a range of occasional Greek and Roman poetry. Rhetorical theory thus becomes a sort of skeleton key that unlocks the generically determined scenarios which determine the form of a vast collection of poems brought under Cairns's analysis. Or rather, these generic coordinates provide a context, a range of expectations that the poet may either fulfill or defeat according to his wishes.

While Cairns's discovery of the applicability of these rhetorically formulated genres surely is a substantial contribution to our understanding of the generic contexts of Roman and Greek poetry, it also has the disadvantage of a relatively mechanical mode of reading: rhetoric offers a typology that constrains as much as explains. Moreover, Cairns (1972: 34) presents these genres as reflections of human life; he makes these generic contexts natural developments of human institutions – poetry thus becomes an expression of distinct cultural practices – flattening out the phenomenon of poetry as a reflection of real or imagined events.

A different, less restrictive use of rhetorical theory can be found in Williams (1980). Instead of using a multiplicity of different rhetorical tropes to taxonomize poetry, Williams employs a simplified interpretive scheme involving mainly the fundamental tropes of metonymy and metaphor (following Jakobson's seminal 1956 study). While deriving interpretive ideas from the rhetorical tradition, Williams does not impose its genres upon the works of poets. In fact, Williams's study goes so far as to claim that rhetorical theory as such does not provide the interpretive tools required to understand the poetry of Catullus and his Augustan ancestors, because the poetry of this period shows techniques that cannot be understood in the terms provided by rhetorical theory (G. Williams 1980: xi). In essence, this is a work that shows the limitations of seeing poetry as reducible to a set of rhetorical prescriptions; it instead offers a more nuanced and critical reading of rhetorical theory in order to analyze Roman poetry.

We may see a further development in the use of rhetorical theory to read Roman literature and culture in Ahl's (1984) influential article, a study whose ambitions reach beyond literary criticism to embrace politics and culture. Ahl scrutinizes the notion of "figured" language within the rhetorical tradition (esp. in Demetrius and Quintilian) and *emphasis*, a trope which has precisely the opposite meaning in

antiquity from modern English: not a message stressed but one that is in covert form (see esp. Ahl 1984: 179). Ahl seeks to make an aesthetic and ethical defense of the use of innuendo and oblique suggestion to express dangerous ideas particularly in the presence of the powerful. Ahl's (1984: 204–8) ambition is nothing less than the recuperation of imperial Latin literature, the recognition of whose figurative character allows us to be more critical readers of what may appear to be shameless panegyric. Ahl uses the rhetorical tradition to provide a general interpretive strategy for reading poetry of the empire. Like Williams, Ahl uses a critical reading of the rhetorical tradition to offer fresh interpretations of an entire period of Roman literature.

The rereading of imperial Latin texts according to rhetorical theory marks a shift in the scholarly attitude toward the literature of this era. Instead of finding fault with the “rhetorical” qualities of the poetry of this period (see G. Williams 1978 for a detailed diagnosis which links the “change” of this period with “decline”), scholars have instead taken a much more sympathetic view. Representative of this move to embrace rather than to reject the rhetorical elements of literature of this age has been the reevaluation that imperial epic has undergone. Particularly in the case of Lucan's *Bellum Civile*, there has been a series of critical reappraisals of this “rhetorical” poem (see, e.g., Ahl 1976; Johnson 1987; Bartsch 1997). Likewise, scholars have read the rhetorical characteristics of Juvenal's satire not as failings, but as the basic idiom of his poetry (see, e.g., Braund's 1997 reading of declamation's influence upon the satirist). For Senecan tragedy Goldberg (1997) offers a similar reevaluation of its rhetorical qualities. Rather than seeing such verbal fireworks as a flaw in these plays (as had earlier scholars; see esp. Goldberg 1997: 171), Goldberg argues that Seneca uses rhetoric to recuperate tragedy as a serious form of literary expression rather than the empty staged spectacle it was threatening to become. (Further considerations of the influence of rhetoric in imperial literature are provided in chapters 28–32.)

The various works discussed above, for all of their diverse methodologies and objectives, all share a fundamental conviction that rhetoric in the Roman world was not a circumscribed entity but a vibrant discourse that intersected manifold aspects of its culture. The renaissance of rhetoric within literary theory and cultural studies has given classicists interpretative tools for their study of this now more expansively defined subject. Further examples of innovative work being done on Roman rhetoric could be supplied – such is the vitality of the field. A quick glance at the contents of this volume will suffice for proof of the various approaches that the field has inspired. Other interpretive communities within this area of study will surely form in the coming years, communities that are certain to question the assumptions and goals of today's scholarship. The raising of new questions, ones that call into doubt the presuppositions of earlier generations of scholars, is not a cause for lamentation but a sign of dynamism within a discipline.

FURTHER READING

Readers interested in getting bearings on contemporary critical theory have a multiplicity of isagogic works from which to choose. The following are merely suggested points of entry into a massive bibliography. As a supplement to Eagleton's now classic account (1996²), Selden

(1985) has the virtue of being a systematic and concise treatment. Groden and Kreiswirth (1994) offers an encyclopedia of critical thought with the advantage of being available in an online, searchable edition. Lentricchia and McLaughlin (1995²) is a thematically organized reference work. Norris (2003) unravels the complexities of deconstruction. The variety of interpretive strategies that go on under the banner of the “new historicism” is well represented in two collections of essays edited by Veeder (1989) and Veeder (1994).

In the wake of the explosion of critical theory in the humanities (especially in the 1980s and 1990s) a number of works by classicists sought to initiate their colleagues into these mysteries. An excellent place to start is Fowler and Fowler (1996). Rosenmeyer (1988) provides a survey of developments within literary criticism specifically addressed to classicists. Hexter and Selden (1992) and De Jong and Sullivan (1994; see also Ormand’s 1994 review) are collections of essays that use a range of different critical approaches to analyze classical texts. Galinsky (1992) presents papers from a 1990 conference that explore the relevance of modern critical methods to Roman poetry. Heath (2002a) is a recent study that reflects upon the theoretical problems of interpreting classical literature.

Academics in English departments have been forced to confront the aftermath of theory’s heyday. Symptomatic of this crisis was Eagleton’s (2003) own publication of his meditations on the “after theory” condition. McQuillan et al. (1999) offers papers that explore possible directions of research within the posttheory world. J. Williams (2002) investigates how academic institutions shape literary critical approaches. Herman (2003) presents a collection of essays that place important developments in critical theory within their historical contexts.

CHAPTER THREE

Greek Rhetoric Meets Rome: Expansion, Resistance, and Acculturation

Sarah Culpepper Stroup

Although a more or less refined sense of effective public speech must have existed in Rome significantly prior to the introduction of Greek *rhetores* into the city, the birth of an established system of Roman rhetoric might best be described as the end result of a somewhat unlikely coupling of refined Greek professionalism and proud Roman amateurism. As the story is alluded to in our Roman sources, we are invited to imagine this coupling (and subsequent gestation) in one of two ways. First, and following an “influence” model, we might suppose that although a certain rudimentary “excellence of speech” may have existed in Rome prior to the introduction of the Greek professionals, it was only under the influence (and name) of formal Greek teaching that Roman public and political speech making developed into an identifiable system (so Cic. *De Or.* 1.14). Secondly, and following what I would term the “appropriation” model, it was precisely the virile *Latinitas* of early Roman intellectualism that was able first to impose itself upon (and in no small sense to *correct*) the abstract theoretical musings of the Hellenistic theoreticians, and eventually to transform these musings into the concrete and utilitarian practice of the late republic and beyond (*De Or.* 1.23).

Both versions of this process appear in our Roman authors – indeed, often by the same author (Cicero) in the same text (e.g., *De Oratore*) – and it is precisely this that makes any attempt to unravel this meeting of Greek and Roman, of east and west, such a tantalizing and difficult one. In Cicero and subsequent authors, the influence model fits nicely into the vilification of seductive Greek influence, just as the appropriation model jibes well with the extolling of Roman manhood as the presumed prerequisite of all subsequent Roman domination. Indeed, as much as *both* models play neatly into cross-genre Greek-Roman binaries of professionalism, ethnicity, and gender, neither model accounts sufficiently for the highly charged process of social,

intellectual, and political give-and-take that must occur at the dynamic margins of any cultural overlap.

This chapter is divided into three distinct parts, each of which will examine one element in the overlap through which the established Greek rhetorical tradition entered Rome, met with alternating eagerness and resistance, and was finally transformed – or made anew – in the image of a purely Roman school of rhetorical thought, practice, and literary *topos*.

The first part of the chapter is devoted to an overview of the Greek tradition of the late Hellenistic and early Roman period, a time when technical professionalism and intellectual specialization became increasingly prized as a sign of social refinement. In these years, the study of rhetoric assumed a dominant – perhaps *the* dominant – role in both the curriculum of the schools and the political and cultural capital of the period as a whole. The story gets murky in the particulars, due to both the relative paucity of evidence and the ways in which this evidence is treated by our later authors. But we can nevertheless identify the major schools of the period and the major foci of these schools, and so postulate various sources of tension in the later Roman reception of Hellenistic rhetoric and rhetoric teaching. I turn next to the censorial edict of 92 BCE, directed against the “professional” teachers of Latin rhetoric in Rome but seeking neither their expulsion nor punishment. Of particular interest will be the ways in which the phrasing of the edict points to broader intellectual and cultural issues at stake in the confrontation of these two educational models – the amateur, and traditionally Roman, as opposed to the professional, and newly Greek – in the years of the late republic. Finally, and using Cicero’s *De Oratore* as a representative case study, I consider the ways in which foreign rhetoric came to be represented and contained in the intellectual discourse of the late republic. For as this treatise, and indeed much later literature, would suggest, the Greek *rhetores* came not only to represent the interaction of Greek “artificial” rhetoric with the “natural” landscape of Roman oratory but also to stand as a literary and intellectual symbol for an overarching and imminently Roman contest between binaries of professional and amateur, Greek and Roman, the conquered and the conqueror.

The Spread of Hellenistic Professionalism: Expansion

nam ut semel e Piraeo eloquentia evecta est . . .

Cicero, *Brutus* 51

For as soon as Eloquence set out from Piraeus . . .

The Hellenistic period as a whole is marked by the centrifugation of political, intellectual, and cultural power from the core of Athens to the margins of the eastern and southern Mediterranean. The expansion of intellectual investigation and production from Athens (though it never left it entirely), and into the newly established centers of learning in, for example, Pergamon and Alexandria, brought with it changes not only in the social and political structure of the Greek world but also in the overarching nature of scholarship, study, and the collection, housing, and use of

written materials throughout the Hellenistic Mediterranean. As the written text became an increasingly important tool in the transmission and circulation of intellectual activity, the texts themselves (and the places created to produce and house them) became important social objects.

Private libraries, and even large-scale ones, had existed long before the Hellenistic period proper. And yet it is only with the grand Hellenistic libraries, and especially Demetrius of Phaleron's (350–280 BCE) role in the foundation of such at Alexandria under Ptolemy I Soter, that the large-scale collection of vast quantities of written learning was able to open the door to an entirely new sort of scholarship – and rhetorical thought. An important result of this centrifugation, and indeed of the kingly libraries that marked its intellectual impact, was both the professional status of the study of rhetoric, and the concomitant foundation and wide diffusion of formal schools of rhetoric throughout the Hellenistic world.

Although we have virtually none of the many Greek writings on the topic of rhetoric composed during these years, we are able to piece together much of the picture based on our later Roman authors. As the “profession” of rhetoric moved into the limelight as a newly rigorous and theoretical mode of intellectual investigation, rhetorical study in this period took a dominant place in the school curriculum of the young men of the Greek world. To a certain extent, a degree of rhetorical training had been an element in the education of the more privileged classes since the fifth century. But whereas before such advanced training had been primarily the realm of the sophists, in the Hellenistic period the study of rhetoric – in concert with, and to a certain extent predicated upon, grammatical training – became marked as the *sine qua non* of upper-class education and elevated cultural position.

The teachings of the professional grammarians centered on the analysis and commentary of the poets; those of the rhetoricians, by contrast, focused more keenly on the works of the orators and theorized on the compositional problems of written and spoken persuasion. Both fields of study are, it should be noted, equally important products of the intensely “textual” quality of the Hellenistic age – both grammar and rhetoric benefited singularly from the new emphasis on the collection, analysis, and comparison of texts by which these years are marked – and in practice there was likely much overlap in the disciplines. But between the two, it is rhetoric that moved to preeminence as the advanced study of the upper classes. Education of the young began with simple instruction in letters, math, and the basic memorization and recitation of poetic works. In earlier years, this primary education might have been followed – for the upper classes – by more advanced studies under the sophists. But in the Hellenistic period, after a child had reached a reasonable degree of literacy, he moved to the intermediary care of a grammarian, who would introduce him to a general study of Greek language and literature. By his teenage years, the young man made the transition to move from the preparatory tutelage of the grammarian to the advanced directorship of professional rhetorician (Kennedy 1963: 268). In an educational model that would be in place until at least the time of Quintilian (*Inst.* 2.4.41), his studies included the completion of the course of basic rhetorical composition (*progymnasmata*), as well as investigations into rhetorical theory and advanced exercises in imitation of the speeches of the courts and assemblies.

The most important rhetorical schools of the period were the Peripatetic, in which Theophrastus of Lesbos (ca. 370–ca. 285 BCE) and Demetrius of Phaleron are the

primary representatives, and the Stoic, among whom Zeno of Citium (335–263 BCE), Cleanthes of Assos (331–232), Chrysippus of Soli (ca. 280–207), and Crates of Mallus (fl. 159) – all also engaged in grammatical analysis – were particularly influential to later periods. The distinctively “textual” trend of Hellenistic rhetoric is marked, first and foremost, by an increased production of rhetorical handbooks – monographs, in particular (so Theophrastus’ *On Style*) – that focused on theoretical or academic, rather than purely practical, matters. As the “professionalization” of Hellenistic rhetoric moved the study from the status of “handmaiden” of oratory to that of a self-justified process of intellectual critique, rhetoricians of the period focused increasingly on the more academic issues of, for example, invention (the finding of arguments: so cf. Cicero’s later *De Inventione*, a product of the first century BCE but an important source for reconstructing the contents of earlier handbooks), categories (the “theoretical” parts of rhetoric as well as the “practical” parts of the oration), imitation (the canonization of earlier authors as “classics”), and the belief that rhetoric formed a complete system (with no need of the aid of law, philosophy, or psychology) that nevertheless applied to all forms of literature. These last two points in particular – the issue of imitation, and that of the completeness and pervasiveness of rhetoric – are both two of the most “academic” developments of the period and, by no small coincidence, two of the most hotly contested, and important, to later Roman theory and practice (for further discussion of the Greek rhetorical treatises see chapter 13).

The Peripatetics contributed more to the formal study of rhetoric than any other philosophical school of the period. And although neither Theophrastus nor Demetrius made any great departure in their work from that of Aristotle, their intellectual predecessor, each played an important part in the overall professionalization of the field. Theophrastus, a student of Aristotle and heir to the Lyceum (as well as inheritor of his library), was particularly influential in the areas of style and delivery: his lost *On Style* became an important source for Cicero’s *Orator*, while his creation of the four “virtues” of speech – *hellenismos* (“purity”), *to saphes* (“clarity”), *to prepon* (“propriety”), and *kataskeneue* (“ornamentation”) – forms the starting point for the discussion of Cicero’s *De Oratore*. Demetrius, a student and friend of Theophrastus, began his career as an Athenian orator and statesman who, thanks to Cassander, held power as absolute governor for ten years. After a conflict of Alexander’s predecessors resulted in his exile from that center (in 307; cf. Diog. Laert. 5.37), Demetrius made his way to Alexandria, at the invitation of Ptolemy I Soter, in order to serve as tutor to the Hellenistic pharaoh’s heir (indeed, the offer had first been made to Theophrastus, who then recommended his student and friend). Once in Alexandria, Demetrius became highly influential in the foundation of the library – the pseudepigraphical *Letter of Aristaeus* suggests that it was Demetrius himself who recommended Ptolemy begin his project of gathering written texts from throughout the world – and, it is likely, that of the *Museum*, a “Temple to the Muses” that in practice served as a dynamic center of study in the tradition of Plato’s Academy and Aristotle’s Lyceum. In the culturally and intellectually rich environment of a newly “text interested” Alexandria, however, the Peripatetic Museum became a school of an altogether different type: one that focused on the sort of abstract analysis and close comparison of texts that could not likely have occurred in prior years.

The Stoic rhetoricians, though never as influential to the topics of style and delivery as the Peripatetics, nevertheless contributed greatly to the development of Hellenistic rhetoric and became especially important to its later reception at Rome. Associated

primarily with the scholarly work of the library at Pergamum (over which Crates was the head grammarian, cf. Varro, *Ling.* 9.1), the Stoic rhetoricians tended to eschew the carefully crafted and occasionally flowery eloquence of the Peripatetics and instead privilege substance over form, purity of expression over affectation of emotion.

In some sense – and especially in its later reception – the teaching of the Stoic rhetoricians belonged to more of an ideal, academic, world than a practical, forensic, or political one. The general trend of the rhetoricians to reject playing to the emotions of the judge or audience, and their belief that the nature of the speech *was* the speech (that a carefully ordered speech would be productive of its own expression and effect, without the emotive “tricks” promoted by the Peripatetics) may have been philosophically laudable, but seemed more suited to the library than the court or assembly. And although the idealized and highly abstract nature of Stoic rhetoric was later criticized by some Latin authors (Cic. *Fin.* 4.7, *De Or.* 1.229, *Brut.* 114 ff.), it was more moderately judged by others (Quint. *Inst.* 10.1.84).

One of the primary problems with Stoic rhetoric – as later Latin authors received it – was precisely the tension produced by its refusal to engage with the standards of rhetorical “ornamentation” as promoted by the Academics and the Peripatetics. The Stoic *desiderata* of brevity and austerity of speech were highly attractive to a Roman cultural elite that saw itself representative of a kind of “natural” and straightforward manner of expression (thus Cato’s *rem tene, verba sequentur*, “seize on the subject, the words will follow,” Iulius Victor 17; Halm 1863: 374). So too, the Stoic emphasis on grammatical and verbal “purity” – *hellenismos*, or “Greekness” – translated well into the Roman intellectual and cultural ideal of *Latinitas* – “Latinness.” But whereas *hellenismos* indicated, for the Stoic rhetoricians (and indeed the Peripatetics before them), mainly the use of the correct form of a word and the rejection of euphemism, *Latinitas* is a term that, in middle and late republic, came to be strongly linked not just with speech but with overarching Roman concepts of *virilitas* (“manly character”), *liberalitas* (“upper-class privilege of political action”), *gravitas* (“dignified authority”), and *pudor* (“noble restraint”).

The Stoic refusal to engage in the display of “fake emotions” as a means of eliciting such emotions in one’s audience was similarly a source of tension with Latin authors. A major problem with this refusal was that it demystified the patently theatrical endeavor with which orators must necessarily concern themselves, and confirmed a degree of “professionalism” upon the practice that the Romans sought to avoid. The Stoic insinuation that “oratory is an act” came, for the Romans, dangerously close to that whispered observation that “the emperor has on nothing at all.” The issue for the Romans was not only that it questioned the foundations of the idealized naturalness of political and forensic address, but also that it threatened to destabilize the sharp – if recognizably tenuous – cultural, political, and gendered divide between the “liberal” orator and the “illiberal” actor (a tension brought out later by Quintilian, cf. *Inst.* 1.12, 11.70, 11.89, 11.181). Cicero, who was generally critical of the Stoics, nevertheless recognized in them an underlying attractiveness to the late republican mindset and was himself influenced by the work of various Stoics who had visited and lectured in Rome, included Crates, Diogenes of Babylon, and Panaetius. He tried to reconcile the rejection of “emotional theater” with the real-life concerns of forensic practice (*De Or.* 2.189 ff.), suggesting cleverly that the “act” of oratory was no act at all, since a good orator would himself first feel the

emotions he sought to portray and effect in his audience. The issue remained, however, that even as Stoic rhetorical doctrine appealed to a Roman sense of idealized amateurism and lack of deceptive adornment, and even as it became especially important in the introduction of the “library academia” of the Hellenistic world, it brought to light problems of professionalism, liberality, and display that would continue to be a focus of concern well into the Roman empire.

Of the other formal philosophical schools active at the time, none are of so great importance as the Peripatetics and Stoics. The Academics, it is true, wrote on the topic of rhetoric but were not exceptionally influential to the later period. The Epicureans, by contrast, were on the whole fairly hostile to the study of rhetoric and, save Philodemus (whose handbook *On Rhetoric* was indeed influential in the rhetorical development of the late republic, cf. Gaines 2004), were of little or no import to the later development of the discipline. Indeed, the final “school” of importance in the Hellenistic period was not a school at all, nor indeed a set rhetorical theory, but rather a group of professional rhetoricians marked (later) as decidedly non-Attic, both by their place of origin and general style of speech: the Asianists. In his *Brutus* (see chapter 19 of this volume), Cicero notes that the decline of oratory at Athens was followed by a period in which a personified *eloquentia* (“eloquence,” the “natural form” of refined speech, upon which the art of rhetoric is projected) “set out from Piraeus” and wandered first the islands of Greece and finally throughout the whole of Asia Minor ([*eloquentia*] *peregrinata tota Asia est*, 51). Although elsewhere – primarily in the earlier technical treatises – his representation of the Asianists is somewhat more ameliorative, the *Brutus* passage claims instead that *eloquentia*’s eastern wanderings resulted in her smearing herself with foreign practices and “almost unlearning how to speak” (*loqui paene dedisceret*). As much as the *Brutus* passage professes to give a simple overview of the birth and rise of *eloquentia* in the east, it serves mainly – and importantly – to parallel *eloquentia*’s juvenile travels to the orator’s own youthful course of study and present (in 46 BCE) political and social straits. He too began in Athens and then traveled throughout the east (*a me Asia tota peragrata*, 315) in his pursuit of rhetorical knowledge, he too found this knowledge “matured” only in the particular circumstances offered by the practice of the Roman Forum, he too has found himself, in the mid forties BCE, a virtual exile in the Forum he had helped build. Indeed, the *Brutus* as a whole scripts the rhetorical meeting of Greece and Rome, and the subsequent, but inevitable, Roman acculturation and perfection of the Greek in what would become a standard refrain of Cicero’s in the final years of his life. But first there was resistance.

Greece Meets Rome: Resistance

nobis non placere.

Suetonius, *De Rhetoribus* 25.2

we do not approve.

In 161 BCE, in the consulship of Gaius Fannius Strabo and Marcus Valerius Messalla, the praetor Marcus Pomponius sought the advice of the senate on the matter of

Greek philosophers and rhetoricians at that time present in Rome. Discussion was held – we sadly have no details regarding the length, heatedness, or content of such – and at the end of the proceedings Pomponius was charged with arranging and providing for their expulsion from the city (*animadverteret curaretque...uti Romae ne essent*, Suet. *Rhet.* 25.2). It is an expulsion that is unlikely to have been fully successful (cf. Kaster 1995: 272).

Some sixty years later, in 92, a second edict – of which Suetonius is again the source and which would appear to survive verbatim – was passed. As this latter edict will play an important role in subsequent chapters in this volume it is worth looking at in full:

renuntiaturum est nobis esse homines qui novum genus disciplinae instituerunt, ad quos iuventus in ludum conveniat; eos sibi nomen imposuisse Latinos rhetoras, ibi homines adulescentulos dies totos desiderare. maiores nostri quae liberos suos discere et quos in ludos itare vellent instituerunt: haec nova, quae praeter consuetudinem ac morem maiorum fiunt, neque placent neque recta videntur. quapropter et iis qui eos ludos habent et iis qui eo venire consuerunt visum est faciundum ut ostenderemus nostram sententiam: nobis non placere. (Suetonius, *De Rhetoribus* 25.2)

We have been informed that there are men who have established a new sort of learning and whom the youth visit in their school; that these fellows call themselves “Latin rhetoricians,” and men of an impressionable age while away whole days there. Our forefathers established what they wished their children to learn, and what schools they wished them to frequent: this new knowledge, which accords neither with our practice nor that of our forefathers, is neither pleasing nor seemly. We have therefore deemed to make our judgment known both to those who oversee these schools and to those who are wont to attend them: we do not approve.

McNelis provides a detailed examination of the role and status of Greek grammarians and rhetoricians in Rome, focusing especially on the period of the early empire (see chapter 21). McNelis starts with a brief discussion of the edict of 92, and then moves to a detailed discussion of the gradual, but significant, upward shift in status of professional grammar and rhetoric in the first centuries BCE and CE. What emerges from his discussion is precisely that as much as censors of 92 might not have “approved” of the formal schools of Latin rhetoric operating in Rome at the beginning of that century, the presence of professional rhetoricians and their schools, far from ceasing or declining in popularity, continued to gain in popularity and favor. In this section, then, and in order to lay the foundation for why the strong censure in 92 was replaced by a state-sponsored position for Latin rhetoric under Vespasian, it will be useful to consider the edict, and the concerns that may have produced it, in broad conceptual terms.

Although the edicts of 161 and 92 appear almost back-to-back in Suetonius, and although they appear to form for him, as much as they might for us, a kind of parallel expression of early disapproval of rhetoric as a whole, these measures differ from each other on two important grounds. First, the edict of 161 directs itself at the *philosophi* and *rhetores* of Greek origin (as the titles must indicate) at Rome at the time; the edict of 92, however, directs itself at a class of decidedly “*Latin* rhetoricians” and its somewhat impressionable but obviously Roman students. Secondly,

whereas the earlier edict seeks the expulsion of Greek intellectuals who, we are invited to imagine, were practicing their trade in some way that did not include the formal establishment of schools (a kind of private instruction on a patronage model is likely), the edict of 92 seeks not to expel the professionals of the first century, or even to close their schools, but only to express deep censure of the practice in which they were engaged.

Although the first edict addresses an early stage in the reception of, and formal resistance to, the presence of Greek philosophers and rhetoricians at Rome, the measure as we have it (the form must be abbreviated) tells us little or nothing of any real level of hostility felt toward Greek intellectuals as a whole (cf. Kaster 1995: 272). Indeed, if anything, the measure would speak to the wild popularity of these individuals and their disciplines (Gruen 1990: 171–5). The second edict, by contrast, represents a significantly later stage in the incorporation of a Greek-influenced style of formal rhetorical teaching to Rome – although it is likely that professors were teaching rhetoric in Latin before the late 90s, Cicero indicates that formal schools were established only in 93 (cf. *De Or.* 3.93) – and so can give us something more to go on in our effort to get at the early resistance to a practice that would later gain universal, or at least imperial, approval. This edict too, far from indicating a corporate resistance against the teaching of rhetoric in Latin, points rather to an overarching (and likely already increasing) popularity and acceptance of the *ludi* (“schools”). And as it sought neither to check the spread of such schools nor to shut them down, we must imagine that both the schools and the practitioners of this “new” style of rhetoric continued to enjoy broad success – fully in spite of an edict that would wish it were otherwise.

And what a strange edict it is. It does not seek to expel, or disperse, or in any way punish these teachers or stop them from doing what it is they do. All it does, and indeed all it seems to be content to do, is to express the deepest moral censure of a somewhat unspecified sort of behavior (that of the *Latini rhetores*) that has appeared incommensurate with a similarly unspecified set of customs and expectations (those of the censors, and of the *maiores*, “forefathers”). Various suggestions have been made concerning what lay at the foundation of the censors’ censure, among them that the rhetorical *ludi* may have undermined the techniques of the *tirocinium fori* (the traditional and intergenerational apprenticeship in oratory) and that by the time of the second edict Greek rhetoric had become so deeply entrenched in Roman educational practice that a new class of Latin rhetoricians may have been seen as a dilution of the prototype (Schmidt 1975: 207; Gruen 1992: 187–91; both cited at Kaster 1995: 274). Each of these suggestions carries merit and indeed, as Kaster notes, they are not mutually exclusive.

But much of what underlies the ideological and political force of this rather curious measure is to be located not so much in what it seeks to do – in practical terms, it seeks to do relatively little – but rather in the peculiarly pointed language with which it seeks to do it. For in its relatively short form, and with remarkably few words, the edict sets up a powerful two-part binary through which the underlying tension of the piece – a tension centered, as we will see, around the issues of both “professionalization” of speech and “textualization” of learning – comes to light in the somewhat repetitive use of language of newness versus tradition, and of youth versus maturity. First, the edict emphasizes *novum genus*

disciplinae (“the new sort of learning”) that has been started by these teachers; the targets of this learning are variously called *iuventus* (“the youth”) and, with a peculiar diminutive phrase that marks them out as particularly susceptible, *homines adulescentulos* (“men of an impressionable age”). In opposition to the “new sort” of school established (*instituerunt*) by the rhetoricians, we learn of the schools and educational models established (*instituerunt*) for their own *liberos* (“children”) by the *maiores*. Finally, we learn that *haec nova* (“these new models”) run headlong into both the traditions of the present and the standards of the past (*consuetudinem ac morem maiorum*), and so lest a new “tradition” arise (*consuerunt* is a clear echo of the earlier *consuetudinem*), the censors wish to make themselves clear: we do not approve.

But aside from the vaguely Aristophanic sentiment that “new learning is bad,” what are we to make of this somewhat trite opposition between the new and the old, the impressionable youth and the thoughtful forefathers? It is clear that the edict is crafted in response to the perceived inversion of an established model. But what is this model? Surely it is not that of rhetorical instruction. As the edict of 161 would suggest, private instruction in both philosophy and rhetoric had long been gaining popularity in Rome and the practice surely continued on past 92. But whereas the sort of instruction alluded to in the earlier edict would have been constructed on a model of patronage, in which the Greek intellectual would have served as socially inferior and definitively non “professional” client of the family to which he was attached, the instructional model on which the latter edict focuses raises the status of the teachers to that of professional, unconstrained by the expectations and boundaries implicit in a system of intellectual patronage. Similarly, the focus of this edict cannot be primarily that of instruction in Latin rhetoric *per se*. If Cicero can be taken as any kind of reliable witness, the instructional handbooks in Latin rhetoric, composed individually and circulated privately, had an established place in the Roman intellectual sphere for many years prior (cf., e.g., *De Or.* 1.94, 1.206, 1.208, 3.189).

But if the resistance expressed in the edict of 92 is neither instruction in rhetoric in general nor instruction in Latin rhetoric in particular, what can it be? We know that the establishment of these schools changed the status of the instructor from family-linked client to independent, and potentially quite powerful, professional (Suet. *Gram.* 3). We must also suspect that, since the Hellenistic professionalization of rhetoric was a direct result of the newly textual emphasis of that age, it is likely that these schools in Greek-based “Latin” rhetoric raised the study and production of rhetorical handbooks, as well as the publication of declamations, to a new level of cultural acceptability (*Gram.* 4). This is not to say that earlier educational models were in any way aliterate; but rather earlier models of political education, including that of *tirocinium fori*, would have focused on practice rather than theory, and on action rather than study. Indeed, a closer look at the language of the edict would suggest that it directly points to this newly “textual” and theoretical focus of rhetorical training. For the observation that “men of an impressionable age while away whole days” at these *ludi* is heavily suggestive of a republican idiom in which *otium* (“leisure”) – alluded to here, as elsewhere, by the pejorative *desidere* (“while away”) – is a category of time devoted to the suspiciously apolitical reading and production of texts rather than the more politically acceptable work, the *negotium*,

of the Forum and senate house (on *otium* as a literary category, cf. Cic. *De Or.* 1.2, *Off.* 2.4, 3.1–4, *Tusc.* 1.6; *Brut.* 8 contrasted specifically with *desidia*; *Cat.* 10 contrasted with the work of the Forum). The problem is not with what the young are learning; it is with *homo*.

The sentiment is remarkably reminiscent of what Cato the Censor (234–149 BCE; see chapter 5), a man who in 155 expressed worry over the effect Greek lecturers would have on Roman youth, is reported to have written to his son on the topic of the introduction and practice of Greek doctors in Rome:

quandoque ista gens suas litteras dabit, omnia conrumpet, tum etiam magis, si medicos suos hoc mittet. iuraverunt inter se barbaros necare omnes medicina, sed hoc ipsum mercede faciunt . . . (Pliny, *Naturalis Historia* 29.14)

Whenever that tribe will extend its literature, it will destroy everything – and all the more if it sends forth its doctors. They swear among themselves to slaughter all barbarians with their treatment, and they make money off it . . .

Cato ends his admonition by forbidding his son to have anything whatever to do with these new professionals (*interdixi tibi de medicis*). But Pliny responds with the acutely practical observation that medicine itself is a useful tool and that indeed it was not the practice of medicine to which Cato and others had objected but rather its “professionalization” – not the mere fact that it existed, but the fact that it was a source of financial profit: *non rem antiqui damnabant, sed artem, maxime vero quaestum esse manipretio vitae recusabant* (“it was not the medicine that our ancestors condemned, but the medical profession, for the most part because they opposed the making of profit from payment for their lives,” Plin. *HN* 29.16); this changed the traditional Roman model of intrafamily medicine into one in which the care of the body was entrusted to external specialists.

Cato’s resistance to Greek doctors and the censors’ resistance to formal schools of Latin rhetoric are not, of course, parallel phenomena. And yet each arises in response to the expansion of the distinctly theoretical, and in Cato’s case, explicitly literary, professionalism of Hellenistic learning, and each expresses resistance toward a trend that threatened, in its Greek professionalization (Pliny’s *ars*) of Roman practice (Pliny’s *res*), established ideals of upper-class amateurism. Whereas Cato’s concern was the body, the censors’ was the mind.

In the years of the late republic, it is reasonable to suppose, there must have been a wide range of attitudes, from enthusiasm to resistance, toward Greek and Greek-influenced learning in all its variations (so Wisse 2002a: 335). The edict of 92 BCE is an especially valuable piece of evidence for this range in its suggestion that the establishment of these schools and the popularity they had achieved challenged the Roman intellectual and educational status quo in two important ways. First, these schools changed the status of rhetorical instructors in a way that destabilized traditional expectations of social hierarchy. Secondly, they threatened to shift the focus of rhetorical education from the stuff of rigorous apprenticeship and one-on-one tutoring to that of idle hours spent in literary and theoretical musing at the hands of paid professionals. These challenges to novelty and authority, to enthusiasm and resistance, were met, as the remaining chapters in this volume discuss, in a

variety of ways. A good place to start, however, is with the literary and intellectual acculturation initiated by Cicero in the mid 50s BCE, as he turned perforce from the practical work of the Forum to the more theoretical and definitively literary work of the written treatise.

Greek Rhetoricians in Roman Intellectual Discourse: Acculturation

verbi enim controversia iamdiu torquet Graeculos homines, contenionis cupidiores quam veritatis.

Cicero, *De Oratore* 1.47

Semantic quibbling has long tortured those Greeklings, who lust more after a good argument than the solid truth.

Although the ongoing process of the Roman acculturation of Greek rhetoric and rhetoricians is evident in many of the writings of the late republic and early empire, Cicero's innovative, if slightly peculiar, use of the Greek rhetoricians (and indeed Greek intellectuals as a whole) in his own recently crafted genre of rhetorical handbook provides a good case study. Because both Cicero and, indeed, his rhetorical treatises will provide the focal point of many of the subsequent chapters, and because much fine work has been done in the area of Cicero's intellectual influence (Wisse 2002a), this section will focus on an introduction and overview of the orator's overarching, and inherently Roman, rhetorical and literary project as it is embodied in the first of his rhetorical dialogues: the *De Oratore*.

De Oratore, written in 55 BCE and dedicated to his brother Quintus the following year, owes more to Platonic form and Aristotelian content than it does to any specific influence of the Hellenistic schools (though they do provide a starting point, as noted above; see chapter 19). The treatise marks both the orator's return to the intellectual studies of his youth and, even more importantly, the beginning of an entirely new era of Ciceronian, and indeed Roman, literary practice. Starting with this dialogue, and then with increasing frequency in the technical treatises of his later years, Cicero responds to his own relative displacement from the political world by engaging in an aggressive promotion of both Latin literary production and, more specifically, the containment of the oratorical voice – *his* oratorical voice, first and foremost, but also the voices of the past – within the pages of the freshly minted Roman genre of the dialogic treatise. As the republic becomes ever less receptive to his political advances, and the Forum less amenable to his oratorical ones, Cicero invents in his dialogues (e.g., *De Or.*, *Rep.*, *Leg.*, *Brut.*), and to a lesser extent in his nondialogic treatises (e.g., *Opt. Gen.*, *Parad.*, *Top.*, *Off.*), an explicitly textual, intensely Roman, and decidedly nonpolitical intellectual venue.

The dedicatory sections of *De Oratore* set the political and literary stage. The turbulent state of the republic has deprived Cicero of his recently renewed enjoyment of literary studies, and has thrown him once again into the fray of political combat. Worn out by the demands of the state and with little time available for

otium and the literature by which it is marked, the orator nevertheless cedes to his brother Quintus' urgent "request" for a discussion of oratory and embarks on the "second-hand recollection" (*veteris memoriae recordatio*, 1.4) of a discussion of years past. The discussion to be "remembered" is a Roman one, and one of the highest pedigree: its interlocutors include a handful of the most august, politically important, and intellectually respected men of the time. And yet in preface to the dialogue proper, even before we meet these interlocutors, Cicero engages in a brief overview of the introduction of Greek rhetoric to Rome (1.13–16) and, in a rhetorical maneuver that has become too much a piece of historical evidence (Clarke 1996³: 10), the great enthusiasm earlier Romans had felt for the discipline.

The dramatic date for this clearly fictional dialogue is 91; the setting, the Tusculan estate of the renowned orator Lucius Licinius Crassus. Times are tough for the republic – as tough in 91, we are encouraged to think, as they are in 55 – and in an effort to free his mind from the troubles of the state, Crassus has left the city and retreated to his home in Tusculum in an effort to gather his energies. He is joined by Quintus Mucius Scaevola and Marcus Antonius; with them arrive the young Publius Sulpicius Rufus and Gaius Aurelius Cotta (thus enacting a literary mimesis of the transgenerational *tirocinium fori*) and, two days later, Quintus Lutatius Catulus the elder and Strabo Vopiscus – all men known in Cicero's time for their political and oratorical excellence.

Immediately after they arrive, and until late in the day, the group discusses the crisis of the state and the dire situation of the republic in general. But the dismal conversation concludes with a dinner so filled with Crassus' charm that *dies inter eos Curiae fuisse videretur, convivium Tusculani* ("it seemed as though a day spent in the senate house ended with a soirée at Tusculum," *De Or.* 1.27). This pointed reference to the *convivium*, or "soirée," that elite social gathering linked by Cicero with the production and circulation of literature (cf. *Tusc.* 1.1.3, 4.2.3), is of double effect. It both sets the social stage – Cicero's definitively textual Tusculum is to be an intellectual "private party" – and creates an opposition between the distinctly *political* troubles and turmoil of Rome, on the one hand, and the implicitly *literary otium* of his textual Tusculum on the other.

But if the stage is set on the first evening, it is on the next day of this dialogue that Cicero presents "Act One" of his new, and distinctly literary, drama. For following immediately upon the phrase *convivium Tusculani* ("Tusculan soirée"), we learn that:

postero autem die, cum illi maiores natu satis quiescent, et in ambulationem ventum esset: dicebat [Cotta] tum Scaevolam, duobus spatiis tribusve factis, dixisse: cur non imitamur, Crasse, Socratem illum, qui est in Phaedro Platonis? (Cicero, *De Oratore* 1.28)

On the next day (as Cotta relays), when the older men had rested up and everyone had gone out to the garden-walk, Scaevola said, "Crassus, why don't we imitate Socrates in Plato's *Phaedrus*?"

At the most obvious level, the reference to the *Phaedrus* introduces the genre of the literary dialogue, with a nod to its most famous practitioner, and thus gives us a clue as to what it is that Cicero has in mind for his own return to literature even as it avoids

immediate reference to the Hellenistic handbooks to which his own text responds. The *Phaedrus* shares with *De Oratore* both a deep concern with the tensions between spoken oratory and written rhetoric, and, to a lesser extent, the conviction that rhetoric and poetry – in Cicero’s time, established literary practices – are linked in their goal to “guide the human soul” by means of words. Secondly, as much as the *Phaedrus* would seem to devalue the “sullen absence” of the written word in relation to the “lively presence” of the spoken, it can similarly be viewed as a literary dialogue written *in defense* of the composition of literary dialogues when these dialogues are restricted to a highly learned and carefully circumscribed reading audience (cf. Berger 1981). In his reference to the *Phaedrus*, then, Cicero transports the Tusculan villa into the center of a deeply historical, deeply literary, and altogether fictional intellectual landscape.

But if the image of a handful of Rome’s most august forefathers suddenly deciding to “play the Greek” is meant to catch our attention it is only so that this attention may be focused on what comes next:

et quod ille durissimis pedibus fecit, ut se abiceret in herbam, atque ita illa, quae philosophi divinitus ferunt esse dicta, loqueretur, id meis pedibus certe concedi est aequius. tum Crassum: immo vero commodius etiam; pulvinosque poposcisse, et omnes in eis sedibus, quae erant sub platano, consedisce dicebat. (Cicero, *De Oratore* 1.28)

and what tough-soled Socrates did, when he threw himself down on the grass and embarked on that discourse the philosophers say was inspired – surely such can be granted more fairly to my own feet. “Not just more fairly,” said Crassus, “but more *fittingly!*” And he called for pillows (as Cotta tells it) and they all sat together on those benches that were under the plane tree.

Zetzel has argued that Cicero’s reference to the pillows indicates a general distrust of Greek learning and culture, noting “Cicero’s pillows cushion Rome from the naked irrelevance of Greek theorists” (Zetzel 2003: 135). There is surely something to this. And yet, as much as Cicero’s pillows might signal a cynical insulation of rough Greek doctrine, they also cautiously encode the whole of Cicero’s literary “project,” starting with *De Oratore*, but continuing throughout the dialogic – and nondialogic – treatises of his final years: “The time has come to play the Greek,” he seems to say “but let’s give our act a definitively Roman spin.”

Cicero’s “spin,” as we see, is that much of the information presented in his text professes to be predicated on Roman memories – and more importantly, *Latin* retellings – of Greek works (*De Or.* 1.42–7). For before Crassus responds to Scaevola’s request to expand upon his earlier observations, he gives a brief overview of *summi homines* (“the many eminent men,” 1.45) of Athens he had chance to learn from while returning from his quaestorship in Macedonia. But after Crassus has presented the catalogue of men from whom he has learned of the state of rhetoric in Greece; he sums up the overarching problems with Greek discourse with a statement that sums up the binaries of professionalism, ethnicity, and – as it would evolve – empire, to which Cicero’s “perfection” of Greek would respond: *verbi enim controversia iamdiu torquet Graeculos homines, contentionis cupidiores quam veritatis*

(“semantic quibbling has long tortured those Greeklings, who lust more after a good argument than the solid truth,” 1.47).

The theme of the Roman textual “memory” as the new literary expression of Greek thought is one that appears frequently in the later dialogues (cf. *Brut.*, *Acad. Post.*, *Sen.*, *Amic.*). But in addition to this theme of Greek thought as accessible only via Roman memory, Cicero engages here (*De Or.* 1.23) and indeed in the majority of his subsequent philosophical and rhetorical treatises not only in a defense of Latin literary production as a whole, but precisely the importance of “containing” Greek doctrines in his new and intensely Roman form of the dedicated dialogue (cf. *Opt. Gen.*, *Parad.*, *Part. Or.*, *Acad. Post.*, *Fin.*, *Tusc.*; the latter two of which demonstrate the strongest defenses of Latin literature). If the Hellenistic period had its Museum to house the thoughts of the Greeks, the republican period will have Cicero’s treatises.

A final programmatic reference to the Roman textual “housing” of Greek rhetorical thought occurs some sixty sections later. But this time, Cicero creates a parallel between his textual Tusculan villa, as the site of the fictive discussion, and the physical text – *De Oratore* – that in turn contains this discussion as a whole. Antonius has entertained the group with his opinions on the matter of the “ideal” orator as well as the science of rhetoric. As he falls silent, Sulpicius turns to Crassus with the request that this orator now recount, by way of reply to Antonius, his own opinions on the various branches of oratory. The request for speech – and by extension, writing – is a common *topos* in Cicero’s treatises (cf., e.g. *Brut.*, *Orat.*, *Tusc.*, *Top.*); as we saw, the *De Oratore* is itself predicated upon a similar “request” of Quintus. But if the fact of the request is not unusual, the words with which it concludes are worthy of note:

quod quidem si erit a vobis impetratum, magnam habebō, Crasse, huic palaestrae et Tusculano tuo gratiam, et longe Academiae illi ac Lycio tuum hoc suburbanum gymnasium antepōnam. (Cicero, *De Oratore* 1.98)

And if we do win this favor from you both, Crassus, I shall owe deep gratitude to this little *école* in your Tusculan villa, and I shall consider this semirural training ground of yours far superior to the famous Academy and Lyceum.

This semirural training ground: *hoc suburbanum gymnasium*. But the question is, “whose semirural training ground?” Well, that of Crassus, or so it would seem. But we also know that as early as 69, shortly following his publication of the *Actio Secunda* of the *In Verrem*, Cicero too came into possession of a villa at Tusculum, where he had an area called the *palaestra* (“*école*,” *Att.* 1.10) as well as two *gymnasia* – one called the Academy, and the other the Lyceum (*Att.* 1.11, *Div.* 1.8). In Sulpicius’ jocular reference to Crassus’ estate in terms of the Greek educational model – *palaestra*, *gymnasium*, *Academia*, *Lyceum* – Cicero’s ideal audience would have recognized the geographic code for his own Tusculan villa. And in recognizing his villa in the text, they would have recognized the dialogic treatise as a newly wrought vessel for the Roman containment, acculturation, and ultimate perfection of Greek rhetorical thought.

FURTHER READING

On the literary and cultural developments of the Hellenistic Age, see Pfeiffer (1968), especially the later chapters, which address the innovations of the libraries, and Green (1990). Kennedy's (1963) work on Greek rhetoric remains one of the most useful introductions to the topic as a whole (see too Kennedy 1972, 1994); Worthington's (1994) volume offers more focused studies on both the theory and application of Greek rhetoric. On Hellenistic rhetoric, Porter's (1997) edited volume in particular provides a wide range of studies on characteristics of the period.

On the censorial edict of 92 BCE, Kaster (1995) gives both a helpful summary of the main arguments of interpretation and further citations of recent scholarship. Gruen (1990) provides a useful discussion of the social and political context of the edict, and indeed the whole of his fifth chapter ("Philosophy, Rhetoric, and Roman Anxieties," 157–92) is valuable in any investigation into either this edict or that of 161 BCE.

The bibliography on Cicero is extensive, that on *De Oratore* substantial. On the former, May's (2002) edited volume provides an assortment of articles. Wisse (2002a, 2002b) is a good starting point for the latter; see too the introduction to May and Wisse's (2001) translation of this dialogue and Douglas (1972, 1973). On the "persuasive design" of the *De Oratore*, and the orator's use of august authorities to add to the credibility of his own views, see Hall (1994); on the form of the dialogue, as well as Cicero's use of Plato, see Zoll (1962), in German. On the intellectual background of the *rhetorica* in general, see Douglas (1973); on the remaining *rhetorica* and the way they fit into the literary program of Cicero's final years, see especially Narducci (1997), in Italian; Gowing (2000); and Stroup (2003). Dominik's (1997a) edited volume on Roman rhetoric in society and literature offers a selection of useful articles on a wide variety of topics; Bonner (1977) offers a survey on Roman education.

CHAPTER FOUR

Native Roman Rhetoric: Plautus and Terence

John Barsby

Plautus and Terence lie at the beginning of surviving Latin literature, and, since the style of both is in some degree rhetorical, it is of some interest to determine their place in the development of Roman rhetoric. A reasonable hypothesis might go something like this. It is unlikely that Plautus, if we can trust the traditional biography which includes stage carpentry, mill working and unsuccessful trading as well as acting and play writing (Gell. *NA* 3.3.14), had any formal rhetorical education. It is true that the language of his plays is highly rhetorical, in the sense that it is constantly heightened by an exuberant choice of words and the employment (whether conscious or not) of what can be recognized as rhetorical figures. But this must largely represent an untutored native Latin rhetoric, which can be shown to derive from the practices of the early Latin language. This native Latin rhetoric may in some respects overlap with standard Greek rhetoric but typically involves features not so common in Greek.

It may well be that Terence, on the other hand, brought up in a senatorial household and traditionally associated with the philhellene Scipio Aemilianus and his so-called circle (Suet. *Vita Ter.* 1–6), did have some sort of formal rhetorical education. We have no very clear evidence when Greek teachers of rhetoric first operated in Rome: the one fixed date that we have is the expulsion of Greek philosophers and rhetoricians from Rome in 161 BCE (a date which falls toward the end of Terence's life), as recorded by Suetonius (*Rhet.* 25.1). These were presumably teachers who taught in public to anyone who came along to hear, but there must also have been private tutors in the houses of the wealthier families. Plutarch records that Aemilius Paullus hired a series of tutors for the education of his sons in various subjects, which included rhetoric (*Aem.* 6.4–5), and Terence may well have received similar tuition in the household of Terentius Lucanus.

But the question is not simply the debt of Plautus or Terence to Greek rhetorical teaching. A further interesting point is the relationship between Roman comedy and

contemporary Roman oratory. It is clearly possible, since the writing of Roman comedy and the development of Latin oratory were going on at the same time, that each influenced the other, and it may even be that the Roman orators learned more from the comic poets than the comic poets learned from the Roman orators. It has been argued, for example, that the rhythms of Cato's prose *clausulae* were influenced by those of Plautus' *cantica* (Habinek 1985: 187–200); whatever the validity of this thesis, it does have the merit of directing the attention to the possibility of influence in this direction.

Terence's Prologues

On the question of the relationship of comedy to Greek rhetorical teaching, a good place to start is the prologues of Terence, since there is common agreement that these show signs of a rhetorical education, both in structure and in style. As is well known, Terence devoted his prologues not to an exposition of the plot of the play but to a running battle with an unnamed critic and opponent, whom Donatus (on *An.* 1) identifies as the rival playwright Luscius of Lanuvium. The language of the prologues has long been recognized as highly rhetorical, and the frequent occurrence of judicial terms in them makes it clear that Terence is portraying himself as a defendant faced with unjust accusations in a court where the audience is the jury. Indeed in two of the prologues (*Haut.* 11, *Hec.* 9) Terence even makes the speaker, in both cases the veteran producer Ambivius Turpio, go out of his way to say that he comes as an *orator* (advocate) rather than as a *prologus* (prologue speaker).

So the prologues are very much speeches for the defense in a judicial setting, and it will not be surprising if their structure, as well as their style, has something in common with the precepts of rhetorical theory. We do not of course know what sort of rhetoric Terence might have learned from the Greek teachers of his day, but it is an interesting exercise to compare Terence's practice with the precepts of the earliest surviving Latin rhetorical handbooks, notably the anonymous *Rhetorica ad Herennium* and Cicero's *De Inventione Rhetorica*, both probably written in the eighties BCE and both essentially based on Greek rhetorical theory, though inevitably incorporating a certain Roman slant.

The prologue of the *Eunuchus* may serve as a test case:

si quisquamst qui placere se studeat bonis quam plurimis et minime multos laedere, in his poeta hic nomen profitetur suum. tum si quis est qui dictum in se inclementius existumavit esse, sic existumet:	5
responsum non dictum esse, quia laesit prior. qui bene vortendo et easdem scribendo male ex Graecis bonis Latinas fecit non bonas. idem Menandri Phasma nuper perdidit, atque in Thesauro scripsit causam dicere prius unde petitur aurum qua re sit suum quam illic qui petit unde is sit thesaurus sibi aut unde in patrium monumentum pervenerit.	10

dehinc ne frustretur ipse se aut sic cogitet
 “defunctus iam sum: nil est quod dicat mihi,” 15
 is ne erret moneo et desinat lacescere.
 habeo alia multa quae nunc condonabitur,
 quae proferentur post si perget laedere
 ita ut facere instituit. quam nunc acturi sumus
 Menandri Eunuchum, postquam aediles emerunt, 20
 perfecit sibi ut inspicundi esset copia.
 magistratus quom ibi adesset, occeptast agi.
 exclamat furem non poetam fabulam
 dedisse, et nil dedisse verborum tamen.
 Colacem esse Naevi et Plauti veterem fabulam: 25
 parasiti personam inde ablatam et militis.
 si id est peccatum, peccatum imprudentiast
 poetae, non quo furtum facere studuerit.
 id ita esse vos iam iudicare poteritis.
 Colax Menandrist, in east parasitus colax 30
 et miles gloriosus. eas se non negat
 personas transtulisse in Eunuchum suam
 ex Graeca. sed eas fabulas factas prius
 Latinas scisse sese, id vero pernegat.
 quod si personis isdem huic uti non licet, 35
 qui magis licet currentem servom scribere,
 bonas matronas facere, meretrices malas,
 parasitum edacem, gloriosum militem,
 puerum supponi, falli per servom senem,
 amare, odisse, suspicari? denique 40
 nullumst iam dictum quod non dictum sit prius.
 qua re aequomst vos cognoscere atque ignoscere
 quae veteres factitarunt si faciunt novi.
 date operam, cum silentio animum attendite,
 ut pernoscatis quid sibi Eunuchus velit. 45

(Terence, *Eunuchus* 1–45; tr. Barsby 2001)

If there's anyone who is eager to please as many worthy citizens as possible and to offend as few as possible, the playwright wishes to enrol in their number. (1–3)

Further, if there's anyone who believes that he has been attacked with undue harshness, let him also believe that this is a response not an attack: he struck the first blow. By translating well and at the same time writing poorly he has made bad Latin plays out of good Greek ones. He recently ruined Menander's *Apparition*, and in his *Treasure* represented the defendant as putting his case for the possession of the gold before the plaintiff explained how the treasure belonged to him and how it came to be in his father's tomb. (4–13)

From now on, in case he deludes himself and imagines that he is done with this and I have nothing more to say, I warn him not to misjudge the situation or continue to provoke me. I have many other charges which he shall be excused for the moment, but they will be brought up later if he persists in attacking me as he has set out to do. (14–19)

The play which we are about to perform is Menander's *Eunuch*. After the aediles purchased it, he contrived for himself an opportunity to examine the play, and, when the official arrived, the performance began. He shouted out that the play was the work of a thief, not a playwright, but that the attempt to deceive had not worked. There was, he claimed, a *Flatterer* by Naevius and an old play by Plautus, and the character of the parasite and the soldier had been stolen from these. (19–26)

If that was an offense, the offense was due to the inadvertence of the playwright; he had no intention of committing plagiarism. You can judge the truth of this for yourselves. There is a *Flatterer* of Menander, in which there is a flattering parasite and a swaggering soldier. The playwright does not deny that he has imported these characters into his *Eunuch* from the Greek play. But he does most definitely deny any knowledge of the prior existence of the Latin versions. (27–34)

But in any case, if he is not permitted to use the same characters again, how is it any more permissible to present a running slave or good matrons or wicked courtesans or a greedy parasite or a boastful soldier or babies being substituted or an old man being deceived by his slave or love or hate or suspicions? In the end nothing is said now which has not been said before. So it's only fair that you should examine the facts and pardon the new playwrights if they do what the old have always done. (35–43)

Pay attention and listen carefully in silence, so that you may understand what *The Eunuch* has to say. (44–5)

The first question is how far this prologue accords with the recommendations of the handbooks in terms of structure and argumentation. As far as the argumentation is concerned, there is clearly much in common. The handbooks advise the speaker to begin by seeking the audience's favor (*ut benivolos auditores habere possumus*, *Rhet. Her.* 1.6), and two of the heads under which this can be done (*Rhet. Her.* 1.8; *Cic. Inv. Rhet.* 1.22) are one's own character (*ab nostra persona*; cf. *Eun.* 1–3) and the character of the opponent (*ab adversariorum persona*; cf. *Eun.* 4–19). Bidding the hearers listen attentively is another approved tactic (*rogabimus ut adtente audiant*, *Rhet. Her.* 1.7; cf. *Eun.* 44–5). One way of responding to a charge is to admit the facts but claim that one acted in ignorance (*purgatio est cum consulto negat se reus fecisse*, *Rhet. Her.* 1.24, 2.23; *Cic. Inv. Rhet.* 1.15, 2.94–5; cf. *Eun.* 27–34); the jury can then be asked to grant a pardon (*reus postulat ignosci*, *Rhet. Her.* 1.24; cf. *Eun.* 42).

The structure of the *Eunuchus* prologue, on the other hand, though resembling that advocated by the handbooks, shows some signs of independence. This can plausibly be analyzed as *exordium* with *captatio benevolentiae* (1–3), *accusatio* (4–19), *narratio* (19–26), *refutatio* (27–43), and *conclusio* (44–5). The *accusatio* has two sections, countercriticism of Luscius' own plays (5–13) and the threat to bring further charges (14–19). The *refutatio* also has two sections, the plea of ignorance (27–34) and the appeal to precedent (35–43).

This is not the precise structure advocated in the *Ad Herennium* (1.4) or the *De Inventione* (1.19). Both of these have six *partes orationis*, namely *exordium*, *narratio*, *partitio* (statement of the points at issue), *confirmatio* (exposition of the arguments), *refutatio*, and *conclusio*. The omission of the *partitio* is not too significant; as Quintilian was later to argue (*Inst.* 3.9.1–3), *partitio* is best regarded not as a separate part

of the speech but as an element of all its various sections. And the omission of the *confirmatio* can be readily explained: since this is a defense speech, there is little room for a “confirmation” of the positive arguments. What is most striking about the structure of the *Eunuchus* prologue is the prominence given to the section called *accusatio*. This term is not prominent in the handbooks in the context of defense speeches; we find it eventually in Quintilian (*Inst.* 3.10.4), who refers to *mutua accusatio* or *anticategoria* but in a rather different context. We may add that the *conclusio* here is not a summary of the arguments (Cic. *Inv. Rhet.* 1.98–100) but simply a request for a fair hearing and thus a transition to the performance itself.

To determine Terence’s debt to rhetorical theory in the structure of his prologues, we would have to analyze all six of them, for which there is not space here. In fact there is disagreement among scholars on exactly how most of them should be divided, which is itself a warning against the supposition that Terence was following any kind of fixed formal structure. One prologue which does divide neatly is that of the *Andria*, which is often quoted in this context: this can be analyzed as *exordium* (1–8), *narratio* (9–16), *argumentatio* (17–23), and *conclusio* (24–7). It is tempting to remark that this is the obvious structure for anyone seeking to rebut accusations (win over the audience, state the accusations, answer them, final plea), which could well have been devised without the help of a rhetorical handbook. Perhaps more to the point is Terence’s flexibility. The accusations against Luscius this time are slipped in under *exordium* (6–7) and *argumentatio* (21–3), and the *narratio* section is not a pure narrative of the accusations but already includes Terence’s admission of the charge (14, *fatetur*).

The analysis of structure is in the end inconclusive. Terence may or may not have had rhetorical manuals in mind; if he did, he treated their precepts with some flexibility; and there is not much more that we can say with any confidence.

More rewarding is the study of the rhetorical nature of the language of the prologues. The first three lines of the *Eunuchus* prologue display antithesis (*placere / laedere*), chiasmus (*placere... plurimis / multos laedere*), antithesis with variation (*quam plurimis / minime multos*), and alliteration (*placere... plurimis, minime multos, poeta... profitetur*). Lines 4–8 have antithesis (*dictum / non dictum*), paronomasia (*existumavit / existumet*), antithesis with chiasmus and homoeoteleuton (*bene vortendo / scribendo male*), and antithesis with polyptoton (*ex Graecis bonis / Latinas ... non bonas*). Lines 9–13 have antithesis with variation (*unde petitur / illic qui petit* = the defendant / the plaintiff) and variation with chiasmus (*aurum sit suum / sit thesaurus sibi*). Lines 14–18 have ethopoeia (*cogitet* plus direct speech), variation of vocabulary (*laccessere... laedere*), antithesis with chiasmus and variation (*quae* [accusative] *nunc condonabitur, quae* [nominative] *proferentur post*), and alliteration (*proferentur post... perget*).

This is a very heavy concentration of rhetorical effects, and we scarcely need to analyze the rest of the prologue in the same detail. However, the wordplay *fabulam dedisse / nil dedisse verborum* (23–4) is worth noting, as are the extended antithesis with chiasmus of 31–4 (*non negat... id vero pernegat*), the two examples of paronomasia *cognoscere / ignoscere* (42) and *factitarunt / faciunt* (43), and the elegant variation of lines 36–40, which, in a list of ten items all governed by *licet scribere / facere*, have five adjective–noun pairs in the accusative, then two passive accusatives and infinitives, and finally three plain infinitives, all with frequent chiasmus.

We might well assume that all this comes out of the rhetorical handbooks. The *Rhetorica ad Herennium* certainly has sections on such things as homoeoteuton (*similiter desinens*), paronomasia (*adnominatio*), and polyptoton (*casuum commutatio*), though it advises that all of these should be used sparingly because they give the impression of being contrived rather than adding weight or dignity (4.28–32). The rhetoricians also deal with antithesis (*contentio* or *contrapositum*), which they strongly recommend as impressive and distinctive, though the emphasis is more on antithetical or parallel clauses than on contrasted single words or phrases as in the *Eunuchus* prologue (*Rhet. Her.* 4.21, 58; Quint. *Inst.* 9.3.81–6). But it is very interesting that they nowhere recommend chiasmus or alliteration or variation as stylistic adornments.

The term chiasmus, like most of the rhetorical terms which appear in modern scholarly discussions, is Greek, but it is not in fact found before Hermogenes in the second century CE; indeed it has been argued that the *a-b-b-a* order, far from being a refined stylistic element, is actually the natural untutored way of combining two pairs – more natural than *a-b-a-b* (Leeman 1963: 22; Courtney 1999: 6–7). We have to look a long way for a Greek term for alliteration, namely to Martianus Capella in the fifth century CE, who uses the word *homoeoprophoron* (5.167), and the Latin *alliteratio* is an even more recent term, being coined by the humanist Pontanus at the end of the fifteenth century. The phenomenon is very common in early Latin literature but is in fact regarded by the handbooks as a *vitium* if taken to excess (*vitabimus eiusdem litterae nimiam adsiduitatem*, “we shall avoid excessive repetition of the same letter,” *Rhet. Her.* 4.18). As for variation (*varietas*), this is in general commended by Cicero and Quintilian as a way of retaining the interest of the audience and avoiding tedium (e.g., Cic. *De Or.* 1.50; Quint. *Inst.* 4.2.118); on its one appearance in the *Ad Herennium* (4.18) the term is used to make the general point that the various rhetorical figures embellish a speech by adding variety. It is interesting that the term *variatio*, which we tend to use for the deliberate varying of vocabulary or expression in parallel phrases and which is a feature of the *Eunuchus* prologue described above, does not appear in this sense in the rhetorical writers.

In other words, three of the constant features of the style of Terence’s prologues (alliteration, chiasmus, variation) do not come from Greek rhetorical handbooks, insofar as we can reconstruct the latter from our Latin sources. Of these three features two seem to come from early Latin, where alliteration is a constant feature and chiastic arrangements are relatively common; on the other hand, far from seeking variation in expression and vocabulary, early Latin writers tend to repeat the same words, probably because of the effects of alliteration and assonance that are thereby created.

Terence: Other Speeches

It should be emphasized that this highly concentrated rhetorical style is confined in Terence to the prologues. In general he avoids giving elaborate set speeches to the characters of his plays, preferring to turn monologue into dialogue by adding an interlocutor (Donatus on *An.* 14 and *Eun.* 539). Dialogue is less conducive to elaborate rhetoric than monologue, and it is interesting that Terence’s three longest uninterrupted monologues (Gnatho at *Eun.* 232–69, Pamphilus at *Hec.* 361–414,

Micio at *Ad.* 26–80) all contain the reported speech of a second person, so that they too become virtual dialogues.

Nonetheless, there is a good deal of unobtrusive rhetoric in the speeches of Terence's characters. It has been claimed that Terence in fact uses more rhetorical devices than his chief Greek model Menander (Ludwig 1968: 179), who, as Plutarch long ago pointed out (*Mor.* 853B), uses such devices as antithesis, homoeoptoton, and paronomasia sparingly and with proper restraint. The following monologue may perhaps be regarded as reasonably typical of Terence: it combines two modes of speech, deliberation and narrative. The context is that the slave Sosias has learned that his older master, Simo, is planning a marriage for his younger master, Pamphilus, who is in love with an Andrian woman who is pregnant with his child.

enimvero, Dave, nil locist segnitiae neque socordiae,
quantum intellexi modo senis sententiam de nuptiis.
quae si non astu providentur, me aut erum pessum dabunt.
nec quid agam certumst, Pamphilumne adiutem an auscultem seni.
si illum relinquo, eius vitae timeo; sin opitutor, huius minas, 210
quoi verba dare difficilēst. primum iam de amore hoc comperit;
me infensus servat ne quam faciam in nuptiis fallaciam.
si senserit, perii; aut si lubitum fuerit, causam ceperit
quo iure quaque iniuria praecipitem in pistrinum dabit.
ad haec mala hoc mi accedit etiam. haec Andria, 215
si ista uxor sive amicast, gravida e Pamphilost.
audireque eorumst operae pretium audaciam.
nam inceptiost amentium, haud amantium.
quidquid peperisset decreverunt tollere.
et fingunt quandam inter se nunc fallaciam 220
civem Atticam esse hanc. “fuit olim quidam senex
mercator. navem is fregit apud Andrum insulam.
is obiit mortem.” ibi tum hanc eiectam Chrysidis
patrem recepissee orbam parvam. fabulae!

(Terence, *Andria* 206–24; tr. Barsby 2001)

Well, Davus, there's no room here for idleness or procrastination, if I understood the old man's intention about the marriage just now. If this business isn't managed with some skill, it'll be the ruin either of myself or of my master. I can't decide what to do, whether to help Pamphilus or obey the old man. If I abandon Pamphilus, I fear for his life; if I assist him, I've the old man's threats to fear, and he's a difficult man to deceive. For a start he's already found out about the love affair: he's watching me like an enemy in case I play some trick over the wedding. If he catches me, I'm lost; in any case, if the fancy takes him, he'll find a reason for dispatching me hotfoot to the mill, whether I deserve it or not. (206–14)

On top of all this there's a further problem. The Andrian woman, whether she's a wife or a mistress, is pregnant by Pamphilus. And you should just listen to their effrontery. They're scheming like lunatics rather than lovers. They have decided to raise the baby, whatever it is. And they're now concocting a story between them that the woman is an Athenian citizen. “Once upon a time there was an elderly merchant. He was shipwrecked off the island of Andros and died. The girl was washed ashore and Chrysis' father took the little orphan in.” What nonsense! (215–24)

The deliberative section of this speech (206–14) is in iambic octonarii, which is significant because in Roman comedy the longer recitative meters tend to attract the more elaborate language. In this passage, however, the rhetorical effects are fairly unobtrusive. There is constant mild alliteration and assonance, often allied with other figures: *segnitiae...socardiae* a doublet of synonyms with homoeopoton (206); *senis sententiam* with paronomasia (207); *providentur...pessum dabunt* (208); *dare difficilest* (211); *faciam...fallaciam* with paronomasia (212); *causam ceperit* with homoeoteleuton *fuert...ceperit* (213); *iure...iniuria* with antithesis (214), *praecipitem...pistrinum* (214). There are two examples of antithetical or balanced clauses: *Pamphilumne adiutem an auscultem seni* with chiasmus (209), and *si illum relinquo, eius vitae timeo; sin opitolor, huius minas* (210) with variation of case (*vitalae / minas*) and ellipse. The most prominent rhetorical flourishes are the paronomasia *faciam...fallaciam* (212) and the audacious addition of *quaque iniuria* (“by wrong of which,” 214) to *quo iure* (“by right of which”) to mean “on the basis of which, rightly or wrongly.” In short, what Terence is doing here is using various figures which, apart from the parallel clauses, chiefly amount to playing with the sounds of similar words. The effect of all this is polished and playful rather than striking or insistent.

The second section of the speech is in iambic senarii, which is the standard meter in comedy for narrative. In general narrative does not lend itself to rhetorical flourishes: the one that stands out here is the paronomasia *amentium haud amantium* (218), with a milder example *audire...audaciam* in the previous line (217). But it is noticeable that, while there is nothing naive about Terence’s own narrative here in terms of the variety of structures or the length of the units, the alleged story of the lovers (221–3) is very naive in its expression, with its mechanical use of temporal adverbs as connectives (*olim, ibi tum*), its three short parallel main clauses all in the perfect tense, and its two examples of the anaphoric *is* where no pronoun is in fact necessary. This naive style is typical of early Latin prose narrative, and it is hard to avoid the conclusion that Terence is here gently mocking it from the point of view of a writer who can himself do better. We shall return to narrative style later.

Before we leave Terence and the *Andria*, and with reference to the “missing” *partitio* noted above in the *Eunuchus* prologue, it is worth pointing out that Cicero in the *De Inventione* (1.33) specifically commends the “brief and appropriate” *partitio* at the beginning of Simo’s narrative to his freedman Sosia (*An.* 48–170), where Simo sets out what he is going to say:

eo pacto et gnati vitam et consilium meum
cognoscet et quid facere in hac re te velim

(Terence, *Andria* 49–50; tr. Barsby 2001)

This way you’ll understand my son’s behavior and my own scheme and how I’d like you to help me.

He carries through this tripartite division in the following lines (51–156, 157–67, 168–70), and then winds up the speech.

Plautus: Extreme Style

There is a large difference between the styles of Plautus and Terence. This is not only, or even primarily, a matter of one being more “rhetorical” than the other. Both represent the conversation of ordinary people, albeit in a verse form which imposes a certain artificiality, and the difference between them is best expressed in terms of the kind of colloquialism at which they aim: Plautus is bold and racy, whereas Terence seeks to produce something which is more studied and elegant. Nonetheless, the style of both has unmistakable rhetorical elements; and, if our original hypothesis is correct, the difference will be that Plautus’ rhetoric depends more on the native tendencies of the Latin language and is less (if at all) touched by the effects of exposure to Greek theory and practice.

We may begin with an example of Plautus’ most exuberant style. Toward the end of *Bacchides* (1087–103), the old man Nicobulus laments that he has allowed himself to be tricked by his slave. The meter is anapaestic long verse (octonarii and septenarii), a rollicking meter which may be felt to invite rhetorical effects; it may be significant that Terence avoids this meter altogether:

quicumque ubi sunt, qui fuerunt quique futuri sunt posthac
 stulti, stolidi, fatui, fungi, bardi, blenni, bucones,
 solus ego omnis longe antideo stultitia et moribus indoctis.
 perii, pudet; hocine me aetatis ludos bis factum esse indigne! 1090
 magis quam id reputo, tam magis uror quae meus filius turbavit.
 perditus sum atque eradicatus sum, omnibus exemplis excrucior.
 omnia me mala consecretantur, omnibus exitiis interii.
 Chrysalus med hodie laceravit, Chrysalus med hodie spoliavit:
 is me scelus auro usque attondit dolis doctis indoctum ut 1095
 flubitumst.
 ita miles memorat meretricem esse eam quam ille uxorem esse
 aiebat,
 omniaque ut quidque actumst memorat, eam sibi in hunc
 annum conductam,
 relicuom id auri factum quod ego ei stultissimus homo promi-
 sissem.
 hoc, hoc est quod cor peracescit, hoc est demum quod percrucior:
 me hoc aetatis ludificari, immo edepol bis ludos factum 1100
 cano capite atque alba barba miserum me auro esse emunctum.
 perii, hoc servum meum non nauci facere ausum! atque ego
 si alibi
 plus perdidderim, minus aegre habeam minusque id mihi damno
 ducam.

(Plautus, *Bacchides* 1087–103; tr. Barsby 1986 adapted)

Of all that there are in the world or have been or are going to be
 in the future,
 The fatheads, the fools, the dullards, the dolts, the babblers, the
 blundering blockheads,

I far and away surpass the whole lot in stupidity and in slowness of wit.

I'm damned, I'm disgraced! Just to think at my age I could twice be befooled in this scandalous way! (1090)

And the more I reflect, the more I'm enraged at the trouble my son has created.

I'm destroyed, yes indeed, I'm torn up by the roots, I'm tortured by every torment that's known;

I'm plagued by every ill that exists, I'm engulfed in every manner of doom.

I've been mangled today and it's Chrysalus' doing: I've been pillaged, alas, and it's Chrysalus' doing:

That villain has shorn me of gold as he pleased, using clever deceits against unclever me. (1095)

So the soldier made clear when he told me that she was a harlot whom he maintained was a wife,

And he told me the details of what had been done, how the woman was hired out to him for the year,

And the balance remaining was just the amount that I in my folly had promised to pay.

It is this, it is this, which vexes my heart, it is this above all that crucifies me:

That I at my age should be made such a fool, and then, what is worse, should be made a fool twice, (1100)

When my head is grey and my beard is white, and be cleaned right out of my money.

Damnation! To think that my no good slave should have dared to do this! Were I losing

Much more somewhere else, I'd be much less annoyed, I'd consider my losses the lesser.

This speech is full of rhetorical features: tricolon with anaphora (*quicumque... qui... quique*) and the pleonastic addition of *posthac* (1087); an asyndetic accumulation of seven synonyms in an alliterative pattern (two *ss*, two *fs*, three *bs*; 1088); doublet *stultitia et moribus indoctis* (1089); alliteration (*perii pudet*) and infinitive of exclamation (1090); antithesis with chiasmus (*magis quam... tam magis*, 1091); doublet of synonyms joined by *atque* (*perditus atque eradicatus*), tricolon with anaphora, asyndeton, and polyptoton (*omnibus... omnia... omnibus*), homoeoarchon (*exemplis excrucior*), and paronomasia (*exitiis interii*: a play between *exire* and *interire*, 1092–3); antithesis (parallelism) with anaphora, asyndeton, and homoeoteleuton (*Chrysalus med... laceravit, Chrysalus med... spoliavit*, 1094); alliteration and paronomasia (*dolis doctis indoctum*, 1095); alliteration (*miles memorat meretricem*) and antithesis (*miles meretricem / ille uxorem*, 1096); alliteration (*stultissimum... promississem*, 1098); gemination (*hoc, hoc*), antithesis (parallelism) with anaphora and asyndeton (*hoc est quod... hoc est demum quod...*), and homoeoarchon (*perascit... percrucior*, 1099); paronomasia involving *figura etymologica* (*ludificari... ludos factum*), doublet with alliteration and assonance (*cano capite atque alba barba*), and threefold alliteration (*miserum me... emunctum*, 1100–1); exclamation (*perii*) and

exclamatory infinitive (1102); alliteration (*plus perdiderim, damno ducam*), verbal antithesis (*plus . . . minus*), and antithesis (parallelism) with anaphora and homoeoteleuton (*minus . . . habeam minusque . . . ducam*, 1103).

It is evident that this is a larger concentration of rhetorical effects than is found even in Terence's prologues, let alone in the speeches of his characters. As is to be expected, there is a large amount of alliteration and assonance, and there are several examples of those rhetorical figures (homoeoarchon, homoeoteleuton, paronomasia) which create further patterns of sound. Also evident is Plautus' so-called "padded style," which uses more words than are necessary simply to convey the sense: most striking is the accumulation of seven synonyms for "stupid" in 1088, to which can be added the three doublets in 1089, 1092, and 1101, where the paired words or phrases, if not exactly synonymous, express the same idea. The general impression of forcefulness is enhanced by the use of the indignant exclamatory infinitive ("to think that . . .") and by the forcefulness of the vocabulary (*eradicare, excruciare, lacerare, peracescere, percruciare* are all striking words, as are the metaphorical *attondere* and *emungere*).

But perhaps most interesting is the number of examples of parallel clauses, many of them joined by anaphora and asyndeton and in two cases forming a tricolon. On the surface this looks like sophisticated writing and, as we have already seen, antithesis is something favored by the rhetorical handbooks. Anaphora (*repetitio*) is highly praised in the *Ad Herennium* (4.19) as having charm (*venustas*), dignity (*gravitas*), and animation (*acrimonia*); asyndeton (*dissolutum*) (4.41) as being animated and forceful (*vehemens*) and conducing to brevity; and the three-member sentence (4.26; the word tricolon does not occur before the elder Seneca) as being neat (*commodissima*) and accomplished (*absolutissima*). However, we cannot infer from this some acquaintance of Plautus with Greek handbooks; on the contrary, this combination of short parallel compositional units in pairs or threes linked by anaphora and asyndeton is typical of early Latin *carmina* (in the sense of the formalized utterances of religion or law; Timpanaro 1988: 257–97) and will have been part of Plautus' native Latin inheritance. It is also very much a feature of Terence's plays (Palmer 1961³: 92–3), even if there are no examples in the speeches discussed above.

Plautus: Other Speeches

Not all of Plautus' speeches are quite so exuberant. The speech of Mnesilochus earlier in *Bacchides* (385–404) on the topic of friendship makes an interesting contrast. The tone is philosophical and reflective rather than angry or emotional: Mnesilochus is pondering the services done for him by his friend Pistoclerus and his slave Chrysalus and the obligations that these services impose on him. The speech is written in trochaic septenarii, the most common of the recitative meters; this is another meter which, like the anapaestic octonarii of the previous passage, divides conveniently in the middle and thus invites a division into two halves with parallelism of expression.

multimodis meditatatus egomet mecum sum et ita esse arbitror: 385
homini amico, qui est amicus ita uti nomen possidet,

nisi deos ei nil praestare; id opera expertus sum esse ita.
nam ut in Ephesum hinc abii (hoc factumst ferme abhinc
biennium)
ex Epheso huc ad Pistoclerum meum sodalem litteras
misi, amicam ut mi inveniret Bacchidem. illum intellego 390
invenisse, ut servus meus mi nuntiavit Chrysalus.
condigne is quam techinam de auro advorsum meum fecit
patrem
ut mi amanti copia esset. [sed eccum video incedere]
nam pol meo quidem animo ingrato homine nihil infensiust:
malefactorem amitti satius quam relinqui beneficum; 395
nimio inpendiosum praestat te quam ingratum dicier:
illum laudabunt boni, hunc etiam ipsi culpabunt mali.
qua de causa magis cum cura esse aequom, obvigilatost opus.
nunc, Mnesiloche, specimen specitur, nunc certamen cernitur
sisne necne ut esse oportet, malus bonus quoivis modi, 400
iustus, iniustus, malignus, largus, commincommodus.
cave sis te superare servom siris faciundo bene.
utut eris, moneo, haud celabis. sed eccos video incedere
patrem sodalis et magistrum. hinc auscultabo quam rem agant.
(Plautus, *Bacchides* 385–404; tr. Barsby 1986 adapted)

Multiplicit meditation makes me think this is the truth: 385
When a friend's a friend indeed, as well as being called a friend,
He's surpassed by none but gods. And now I've proved this true
in fact.
When I went from here to Ephesus (just about two years ago),
From Ephesus I sent a letter back to Pistoclerus here,
Asking him to find my girlfriend Bacchis. Now I understand 390
He has found her; so my servant Chrysalus reports to me.
And how splendidly he's schemed against my father for the gold,
So I'd have resources for my love affair. [But here he comes]
Nothing is in my opinion baser than ingratitude:
Better let a villain go than let a benefactor down, 395
Have a name for lavish giving rather than ungratefulness.
Good men praise the former sort, the latter even bad men blame.
I must use the greater care then, vigilance is necessary.
Now's your testing time, Mnesilochus, now's your day of reck-
oning.
Whether you are what you should be, bad or good in every way, 400
Just or unjust, mean or generous, whether courteous or curt.
Please don't let a slave surpass you in the art of doing good.
And be warned: there's no disguising what you are. But here
they come,
My friend's father and his tutor. I'll stand here and listen in.

This is not such a rhetorical tour de force as the speech of Nicobulus which we examined before. There are nonetheless some obvious flourishes, for example: the opening words *multimodis meditatus* (385) with the high-flown compound *multimodis* and the triple alliteration of *m*, *t*, and *d*; the threefold assonance of *mi*- in *misi, amicam ut mi inveniret*

(390); the elaborate antitheses with their series of contrasted words (395–7), their matching half lines, the chiasmus (395), and the homocoteleuton *laudabunt . . . culpabunt* (397); the self-address Mnesiloche and the double *figura etymologica* in *specimen specitur . . . certamen cernitur*, linked by the anaphora of *nunc* (399); and the further series of contrasted words, where *commincommodus*, if this is the right reading, is a daring brachylogy for *commodus incommodus* (400–1). (*Commincommodus* is the reading of the first hand of the MS B; all the other MSS and the corrector of B have the unmetrical *com<m>odus incom<m>odus*.) The examples of *figura etymologica* are interesting. This is another feature of early Latin, much loved by Plautus, who has all sorts of fanciful examples, but restricted by Terence to a few relatively plain ones (Barsby 1999: 23).

The section from 388 to 393 is in fact a piece of narrative and is therefore worth comparing with narrative in Terence and in contemporary prose. The structure is in fact complex and varied: temporal clause, parenthesis, main clause, indirect command, exclamation, final clause. But it is interesting there are two hints of what we have called the naive style (see above on *An.* 221–3). The repetitive sequence in *Ephesum . . . ex Epheso* in 388–9 is reminiscent of the verses invented by the author of the *Ad Herennium* (1.14) to illustrate the undesirability of repeating what has just been said (*ne quid novissime quod diximus deinceps dicamus*):

Athenis Megaram vesperi advenit Simo. ubi advenit Megaram, insidias fecit virgini. insidias postquam fecit, vim in loco adtulit. (*Rhetorica ad Herennium* 1.14)

Simo came to Megara from Athens in the evening. When he arrived in Megara, he laid a trap for a young girl. After he had laid the trap, he raped her on the spot.

There is too the rather less glaring repetition *ut invenire . . . intellego invenisse* in 390–1.

Even so, it is worth making the general point that narrative in Plautus and Terence is in general much more sophisticated than in contemporary prose. Not much survives of Cato's *Origines*, but the following passage (quoted by Gellius *ipsius Catonis verbis*) may serve as an example. The reference is to an unnamed military tribune who in the first Punic war in Sicily, in the manner of Leonidas at Thermopylae, sacrificed himself and a small band of soldiers to release the main Roman army from an ambush.

di immortales tribuno militum fortunam ex virtute eius dedere. nam ita evenit: cum saucius multifariam ibi factus esset, tamen vulnus capitale nullum evenit, eumque inter mortuos defetigatum vulneribus atque quod sanguen eius defluserat cognovere. eum sustulere, isque convaluit, saepeque postilla operam rei publicae fortem atque strenuam praehibuit, illoque facto, quod illos milites subduxit, exercitum ceterum servavit. (Gellius, *Noctes Atticae* 3.7.19)

The immortal gods gave the military tribune good fortune in return for his valor. This is what occurred: Though he had suffered multiple wounds there, no capital wound had occurred, and they recognized him among the dead, exhausted by his wounds and by the fact that he had lost a lot of blood. They picked him up and he recovered, and often afterwards he performed brave and active service to the state, and by the fact that he led those soldiers on their mission he saved the rest of the army.

There are many features of the naive style here, namely parataxis (there is a whole series of main clauses joined by *-que*, namely *eumque* in line 2, *isque* and *saepeque* in line 4, and *illoque* in line 5, and *ita evenit* in line 1 is followed by direct statement rather than the accusative and infinitive), lack of variety of tenses (all the main verbs are in the perfect), verbal repetition (*evenit* in lines 1 and 2, *illo* followed by *illos* in line 6), and overuse of the anaphoric *is* (*eum* in lines 2 and 3 and *isque* in line 4).

Roman Comedy and Roman Oratory

There is of course a danger in generalizing from a small amount of material, but the above discussion suggests that our original hypothesis, with Plautus representing native Latin rhetoric and Terence reflecting Greek rhetorical theory, was simplistic and misleading. In fact the two authors employ a very similar range of rhetorical devices, and, unless Plautus studied Greek rhetorical handbooks, these must be a native Latin development. The main difference is that Terence is much more restrained in their use; and this restraint may have nothing to do with Greek theory, though this, as we have seen, frowned on the excessive use of such devices as alliteration; it may equally stem from Terence's natural inclination and his choice of Menander as his main model.

We should perhaps draw the conclusion that Plautus and Terence were both working in an evolving native Roman tradition of rhetoric which was not overly affected by Greek rhetorical theory. To determine how that tradition was evolving, we need to look at contemporary Roman rhetoric, which is represented for us by the surviving fragments of Cato's speeches. If it were the case that Cato was himself affected to any degree by Greek rhetorical theory, as some scholars have believed, we should expect to find major differences between his style and that of the comic poets, over and above those attributable to differences in genre and between prose and verse. What we in fact find is a whole host of similarities.

The speeches of Cato are discussed in some detail elsewhere in this volume, so that here only brief illustration is required. Cato's most effective piece of oratory among the surviving fragments is the fragment of the speech *In Quintum Minucium Thermum* (Gell. NA 10.3.17; see chapter 5). This depends for its effect on a whole host of devices which we have seen exemplified in Plautus and Terence, for example, chiasmus (*Bruttiani verberavere, videre multi mortales*), two examples of tricolon with anaphora and polyptoton, the first with a rhetorical question and the second with an exclamatory infinitive (*quis hanc contumeliam, quis hoc imperium, quis hanc servitutum ferre potest?; eane fieri bonis, bono genere gnatis, boni consultis!*), accumulation of synonyms with asyndeton, homoeoteuton, and alliteration (*iniurias, plagas, verbera, vibices*), two successive doublets joined by *atque* (*dolores atque carnificinas per dedecus atque maximam contumeliam*), a fourfold exclamation with anaphora, asyndeton, alliteration, and homoeoteuton (*quantum luctum, quantum gemitum, quid lacrimarum, quantum fletum factum audiui!*), and a final antithesis, embellished with paronomasia (*servi iniurias...aegre ferunt: quid illos bono genere gnatos...opinamini animi habuisse atque habituros...*). Of all these devices the only one not illustrated in the four speeches from comedy which we have examined above is the

rhetorical question, and this is in fact a frequent device of both Plautus and Terence and indeed presumably of popular speech.

The logic of the argument here presented is that Cato's oratory was not influenced by Greek rhetorical theory, or at least not to any great extent. According to Cicero (*Brut.* 95–6), it was only later in the second century BCE that Roman orators began to study under Greek masters and to display something of the smoothness, periodic structure and artistry of style of the Greeks. It is tempting to suggest that Cato was more influenced by the practice of contemporary Roman comedy, but a moment's reflection suggests that any such influence would have been informal and unsystematic. Later rhetorical writers, like Cicero and Quintilian, do indeed recommend certain features of comedy as a model for orators (e.g., Cic. *Inn. Rhet.* 1.27, *De Or.* 2.326–7; Quint. *Inst.* 9.2.58, 10.1.71), but they belong to an age when texts were readily available. If Cato learned from Plautus and Terence, we would have to envisage him sitting in the theatre in the seats reserved for senators listening to the plays, as it is unlikely that written texts of comedy were in circulation beyond the hands of the theatrical companies. As for influence in the opposite direction, if Plautus and Terence learned from Cato, we would have to imagine them listening to the speeches in the courts or public assemblies; it is clear that Cato's speeches were written down, since Cicero allegedly had access to more than 150 of them (*Brut.* 64), but it is hard to imagine a wide circulation in Cato's own day. Rather than postulating direct influence in one direction or the other, it seems better to think in terms of the development of a native Latin tradition of rhetoric in which the comic poets and the orators both shared; the aim of this chapter has been to stake a place for Plautus and Terence in the history of that tradition.

FURTHER READING

For the wider context of this chapter see the general histories of rhetoric, for instance Clarke (1996³: 1–37) and Leeman (1963: 19–66). Rawson (1989) gives an overview of the Roman reaction to Greek culture in the third and second centuries BCE. On the more technical side Lausberg (1998) offers a comprehensive list of the various rhetorical terms with extensive quotations from Greek and Latin rhetorical writers. On early Latin, Palmer (1961³: 346–57) provides a convenient sample of archaic nonliterary texts, and Timpanaro (1988), in Italian, analyzes the formalization of the archaic language. Courtney (1999) offers a perceptive general analysis of the nature of early Latin and an extensive range of texts (including the major fragments of Cato) with commentary. On the development of the literary language (prose and verse) Palmer (1961³: 74–147) is still basic reading.

The best recent discussion of Terence's prologues and their relation to contemporary oratory is Goldberg (1986: 31–60). Leo (1898a; 1960: 135–49), in German, is still fundamental. The most detailed analysis of the structure of the prologues is the monograph by Gelhaus (1972), in German; for a critical review of this see Lefèvre (1976), in German. There are useful discussions of the style of the prologues by Focardi (1972, 1978), both in Italian, who brings out the amount of legal language that they contain and traces similarities of style between the prologues and the orators respectively. There are general discussions of the styles of Plautus and Terence in Barsby (1999: 19–27) with further references, Palmer (1961³: 74–94), and Duckworth (1952: 331–60). Among the more technical works Haffter

(1934), in German, demonstrates that the language of long verse in comedy is more rhetorical than that of iambic senarii. Courtney (1999: 153–5) has an appendix on narrative style in Plautus.

On Cato's oratory see chapter 5 in this volume with reference to earlier discussions. Astin (1978: 131–56) concludes that Cato was not significantly influenced by Greek theory, as does Albrecht (1989: 18–20; 1971: 35–7). Cugusi (1971), in Italian, systematically analyzes the main stylistic devices which can be identified in Cato's speeches. On the availability of texts of Roman comedy in Cato's lifetime see Goldberg (2004), who argues persuasively that the scripts were still then in a state of flux and in the hands of the theatrical companies. On the publication of Cato's speeches in his own day, Astin (1978: 155–6) argues that Cato kept copies for his own practical reasons but sees no method of determining whether he distributed copies, either among a few friends or to a wider public.

On the wider issue of the relationships between drama and oratory two discussions can be recommended, both of which touch on rhetoric in Plautus and Terence in passing. Scodel (1997) traces the interplay between drama and rhetoric from Aristophanes to Seneca, while Hughes (1997) explores the use of characters, themes, and diction from comedy in the speeches of Cicero.

CHAPTER FIVE

Roman Oratory Before Cicero: The Elder Cato and Gaius Gracchus

Enrica Sciarrino

Our knowledge of Roman oratory before Cicero depends upon two separate and yet interrelated bodies of evidence. The first includes citations from texts of speeches incorporated in the works of later commentators; the second consists of observations based on the reading of these texts by these same commentators. Among this second set of testimonies, the history of eloquence that Cicero unfolded in the *Brutus* is particularly crucial.

At the outset of his account Cicero contends that oratory in Rome was late in its origin and development. Although he infers from a number of episodes from the past that certain men had achieved brilliant results thanks to their speaking abilities, Cicero remarks that he had never *read* that any of them was considered an orator or that eloquence offered any prize (*Brut.* 56). With this allusion to reading, Cicero sets the stage for his claim that Roman oratory effectively emerged in the late third century BCE, when the Roman elite learned to write their speeches and started to draw on the Greek rhetorical tradition. Moreover, through a number of convoluted comparisons and chronological assessments, Cicero defines oratory as an art and claims that, like other arts (sculpture and poetry), it had followed an evolutionary path toward stylistic perfection (*Brut.* 60–76). Later on in the dialogue Cicero suggests that this perfection was reached a generation before him (143), with Marcus Antonius and Lucius Licinius Crassus. But when Atticus, a friend of Cicero and one of the characters in the dialogue, finally intervenes, this suggestion is replaced by another: it is Cicero the orator who makes everybody else before him look obsolete and unrefined (292–6).

As recently remarked, the *Brutus* was very much the product of Cicero's own circumstances (Stroup 2003). After Caesar's victory at Thapsus in 46 BCE, Cicero had obtained the pardon of the new leader, but his political position was very uncertain. Furthermore, his oratorical reputation had been challenged by the attacks of those who

found his style fundamentally decadent. The dialogue itself takes as a point of departure Cicero's eulogy for Quintus Hortensius Hortalus who died in 50 BCE. This eulogy comes soon to include the republic, Roman oratory, and Cicero's own voice. Accordingly Cicero turns to the past, or rather to texts of speeches left behind by his predecessors, with the object of canonizing their oratorical style and his own.

An important corollary of Cicero's rehabilitative purpose was the decisive transformation of Roman oratory into a primarily written practice and into an object amenable to textual scrutiny (Narducci 1997: 157–73). Since in modern epistemologies writing and reading activities as well as cultural objects constructed in writing have been seen to yield a fuller and higher value, the *Brutus* has constituted more than a source of information. Indeed, reinforced by our own matrices of understanding, the conceptualization of oratory that Cicero propounded in this and his other rhetorical works has greatly affected our own ways of approaching textual evidence. As a result the oratorical achievements of Cicero's predecessors are often viewed as mere experiments in oratory's future form to be shaped under the decisive influence of Greek rhetoric. Likewise pre-Ciceronian oratorical texts are generally described in terms of what they lack in order to be well-wrought examples of Ciceronian periodic prose.

This chapter focuses on the elder Cato and Gaius Gracchus, and surveys the reputation that these figures enjoyed with Cicero and other ancient commentators. This survey will also encompass a reflection on the limits inherent in approaches toward pre-Ciceronian textual remains built upon the Ciceronian method of conceiving oratory and our own cultural practices. By looking into how second-century BCE orators drew on the preexisting culture of the Italic *carmen* and the new tradition of poetry, this chapter expands on the question concerning the adoption of Greek rhetoric and briefly considers the place occupied by writing in second-century BCE Roman oratorical practices.

The “First” Roman Orator: The Elder Cato, Part One

According to Cicero, Marcus Porcius Cato was the first to produce samples of oratory worth reading (*Brut.* 60). Born in the Sabine country in 234 BCE, Cato did not belong to the traditional Roman aristocracy, but thanks to his exceptional versatility he achieved the consulship in 195 BCE, became censor in 184 BCE, and as an ex-consul made his opinions heard in the senate for about forty years. In the *Brutus* Cicero states that he has read more than 150 of Cato's speeches and compares his style to that of Lysias, the Attic orator whom Cicero's critics used to cite as a model of plain and unaffected style. Although Cicero asserts that Cato was *acutus* (“acute”), *elegans* (“charming”), *facetus* (“witty”), and *brevis* (“brief”) like Lysias, he objects that his detractors are prone to overlook Cato's speeches altogether (*Brut.* 63). Later on Cicero adds that Cato had a peculiar way of being solemn in praising, harsh in chastising, shrewd in preaching, and subtle in arguing (65). Although Cicero finds Cato's language rather archaic and uncouth, he suggests that by changing what Cato could not at the time, that is, by adding rhythm, by rearranging the words, and by tying everything up, Cato would not be surpassed by anyone (68).

Of the 150 speeches that Cicero had a chance to peruse, only fragments derived from eighty speeches have survived. These fragments are citations extracted from later

sources which philologists have painstakingly collected and systematized by drawing on a variety of related evidence. The oldest fragments of oratorical prose attributed to Cato belong to a speech delivered in 195 BCE at Numantia (Spain). In this speech he addressed the Roman *equites* that were under his consular command with the aim of stimulating their military ambitions (1.1–2; Cugusi 1982: 67). In the same year Cato spoke against the abrogation of a sumptuary law (*lex Oppia*) promulgated during wartime that limited expenditure on women's clothing and carriages. All that remains of Cato's intervention on that occasion is a speech recounted by the Augustan historian Livy in his account of the turmoil that took place during the discussion (34.2–4). In 191 BCE Cato responded to the accusations leveled by a plebeian tribune regarding his conduct as a consul in 195 BCE with a speech that goes under the title *Dierum Dictarum De Consulatu Suo* (4.5–39; Cugusi 1982: 68–74). In the following year Cato spoke against usury with the speech *Dissuasio Legis Iunia De Feneratione* (5.40–1; Cugusi 1982: 74) and attacked Quintus Minucius Thermus (consul 193 BCE) with two orations (6.42, 7.43–7; Cugusi 1982: 74–6). After defeating the Ligurians, Thermus had asked to celebrate his triumph and it is plausible to think that he was denied this privilege because of Cato's accusations (Livy 37.46.1–2).

Cato's censorship became famous for being both severe and innovative (e.g., Nep. *Ca.* 2.3; Livy 39.44.1). He did not limit himself to the traditional production of *notae* whereby the censors used to strike off misbehaving senators and *equites* from the censorial lists, but he also delivered speeches to support his decisions (Livy 39.42.6). In these speeches Cato addressed the most pressing issues of his time: the control of lavish expenditures (11.52, 12.52–3; Cugusi 1982: 78), the regulation of private habits and the illicit use of public resources (13.54–6, 14.57–8, 15.59–69, 20.73–9, 21.80; Cugusi 1982: 78–82, 84–5), the improper display of war spoils in private houses (18.71, 19.72; Cugusi 1982: 83), and the abuses of power by magistrates (23.54; Cugusi 1982: 78–9). His censorship became so notorious that Cato gained the nickname of Censor and on numerous occasions he had to defend himself from the attacks of his peers (Plin. *HN* 7.100; Plut. *Cat. Mai.* 15.4; Nep. *Ca.* 2.4; Val. Max. 3.7.7). All that remains of the forty-four self-defense speeches noted in later sources are fragments relating to eight of them. Among these, the most important are the *Dierum Dictarum De Consulatu Suo* mentioned above, the *Ad Litis Censorias* (23.90–1; Cugusi 1982: 87) and the *Si Se M. Caelius Tribunus Appellasset* (22.81–9; Cugusi 1982: 85–7) delivered in 184 BCE, the *De Suis Virtutibus Contra <L.> Thermum Post Censuram* (24.93–9; Cugusi 1982: 88–90) of 183 BCE, and the *De Sumptu Suo* (51.169; Cugusi 1982: 110–11), possibly performed in 159 or 154 BCE.

After his censorship Cato became a most authoritative presence in the senate. In 171 BCE he spoke in favor of the Hispanic populations who complained about their unfair treatment by Roman governors (29.109–11; Cugusi 1982: 92). In 167 BCE he promoted the liberation of Macedonia (31.116; Cugusi 1982: 94) and sustained the pardon of the Rhodians after the victory against Perseus (32.118–27; Cugusi 1982: 94–9). In all of these speeches Cato supported a foreign policy that looked to the public interest and took into account the problems connected with ruling over an extended empire. As a senator he intervened in the discussion of the *lex Voconia*, which interdicted female inheritance (30.112–15; Cugusi 1982: 93) and supported the *lex Orchia*, which regulated convivial expenditures (34.128–32; Cugusi 1982: 100). In the year of his death (149 BCE) he acted as prosecutor and spoke virulently

against Servius Sulpicius Galba, who had been brought to trial by the tribune Lucius Scribonius Libo (41.150–4; Cugusi 1982: 105–7). Apparently during his campaign against the Lusitanians Galba had massacred the surrendering population and had made money by selling many locals into slavery. Cato lost the case, but inserted a written version of this speech together with the one he delivered in support of the Rhodians in the now pitifully fragmentary *Origines*, a work generally identified as the first example of historiographical prose in Latin (but see Sciarrino 2004). From the speech against Galba only two short fragments remain, but longer passages of the oration on behalf of the Rhodians survive because it attracted the attention of Tiro, the faithful freedman and secretary of Cicero.

In a letter to Quintus Axius, Tiro used the text of the *Pro Rhodiensibus* to draw a comparison between the oratory of Cato and Cicero. In that context he criticized the former for failing to construct a suitable enthymeme and for not following the proper rhetorical procedure in structuring his discourse. In the second century CE Aulus Gellius would cite the letter and refute Tiro's criticism by quoting and commenting on seven long passages (NA 6 (7) 3). He would conclude that Cato used all the weapons and means of the rhetorical discipline, but that his prose lacked rhythmical elaboration (6 (7) 3.52, 53). In other places of his *Noctes Atticae*, Gellius adds that Cato tried to overcome the limits of his own time, looked to Cicero, and paved the way to the future development of Roman oratory (10.3.16, 13.25 (24).12). What is noteworthy about this temporally long-distance debate is that, though expressing different opinions, both Tiro and Gellius reenacted and reinforced the teleological framework purveyed by Cicero.

The effects of Cicero's assessment of Cato's rhetorical refinement can be detected well beyond post-Ciceronian commentators. Indeed, even today whether Cato knew of and relied on Greek rhetorical theories remains a contested issue that is deeply embroiled in the assessment of his anti-Hellenism (e.g., Clarke 1996³: 38–42; Kennedy 1994: 110–11; Leeman 1963: 43–9; Astin 1978: 147–56; Albrecht 1989: 11–20; Cavarzere 2000: 47–56). Although it is generally recognized that the fragments do not offer enough ground to give a definite answer, the discussion continues to draw force from three scraps of evidence. The first consists of Quintilian's assertion: *Romanorum primus, quantum ego quidem sciam, condidit aliqua in hanc materiam M. Cato... ille censorius* ("as far as I know, the first among the Romans who founded something in this field [i.e., rhetoric] was Marcus Cato, the censor," *Inst.* 3.1.19). This testimony is often discussed in association with two Catonian precepts addressed to his son in a work generally identified as *Ad Filium*. The first precept, *orator est, Marce fili, vir bonus dicendi peritus* ("an orator, my son Marcus, is an honorable man skilled in speaking," preserved in Sen. *Contr.* 1 *praef.* 9), would seem to reveal Cato's intention to subordinate Greek rhetoric to the traditional reliance on the moral and social authority of the speaker. The second precept, *rem tene verba sequentur* ("hold the subject matter, the words will follow," Iulius Victor 17; Halm 1863: 374), would point to his rejection of verbal embellishments dictated by Greek rhetoric.

Continuing to argue in favor or against the influence of Greek rhetoric on Cato's oratory imposes a very restricted view on an already limited body of evidence. At best, it means to take sides in the ancient struggle over social and cultural authority where archaism was conceptually opposed to Greekness and where defining each of these

notions served to prove or disprove mastery over the practice of speech making. At worst, it means to accept Cicero's theoretical stance and his oratorical prose as absolute standards and therefore to invest early oratorical texts with an air of preliminarity or to conceptualize them as somewhat underdeveloped cultural specimens. A way to avoid these predicaments, perhaps, is to approach anew the features that make second-century BCE oratory distinctive within its own milieu.

Oratory and Other Songs: The Elder Cato, Part Two

Cato's oratorical prose is characterized by paratactical constructions and by a great variety of lexical and phonetic repetitions (Cugusi 1971). These features have long been linked to the hoary tradition of the Italic *carmen*. Under this rubric are commonly grouped all instances of formalized speech such as prayers, magic formulas, laws, and treaties. In these cases verbal formalization seems to have been achieved in three ways: by juxtaposing long and shorter compositional segments called *cola*, by deploying a range of figures of sound, and by aligning two or three words and/or phrases (Norden 1958: 165–8; Albrecht 1989: 9–20; Courtney 1999: 9).

The only fragment of the first speech against Quintus Minucius Thermus allows us a glimpse into how Cato drew on this tradition in order to elicit a sense of indignation from the audience:

dixit a decemviris parum bene sibi cibaria curata esse. iussit vestimenta detrahi atque flagro caedi. decemviros Bruttiani verberavere, videre multi mortales. quis hanc contumeliam, quis hoc imperium, quis hanc servitutem ferre potest? nemo hoc rex ausus est facere: eane fieri bonis, bono genere gnatis, boni consultis! ubi societas? ubi fides maiorum? insignitas iniurias, plagas, verbera, vibices, eos dolores atque carnificinas per dedecus atque maximam contumeliam, inspectantibus popularibus suis atque multis mortalibus, te facere ausum esse! set quantum luctum, quantum gemitum, quid lacrimarum, quantum fletum factum audiui! servi iniurias nimis aegre ferunt: quid illos, bono genere gnatos, magna virtute praeditos, opinamini animi habuisse atque habituros, dum vivant? (Cato, *Orationes* 6.42; Cugusi 1982: 74–5)

He asserted that the local *decemviri* had neglected to arrange well the food provisions allocated to him. He ordered them to be unclothed and whipped severely. The *decemviri* were scourged by the Bruttiani and many men stood there to watch. Who could tolerate such an offense, this abuse of power, his imposition of servitude? No king ever dared commit such a crime: now these crimes are inflicted on honorable men, men born from honorable stock, men held to be honorable! What happened to the respect of the allies? What happened to the allegiance to the ancestors? How did you dare to inflict atrocious offenses, beatings, thrashings, wounds, those torments and tortures in addition to dishonor and most despicable insults, before the eyes of fellow citizens and many other mortals! And yet, how many afflictions, how much groaning, how many tears I heard that were provoked! Slaves most grievously endure offenses; what do you think that they, born from honorable stock and equipped by great virtue, felt and will feel as long as they live?

Besides being marked by the emphatic collocation of the verb in initial position (*dixit–iussit–videre*), the fragment presents two or three lexical elements strung

together in order to achieve a climactic effect. Embedded in two or three parallel syntactical units, these lexical elements are either underscored by the anaphora of interrogatives (as in *quis hanc contumeliam* / *quis hoc imperium* / *quis hanc servitutem* and *ubi societas* / *ubi fides*) or intensified by alliteration (as in *boni* / *bono genere gnatis* / *boni consultis*). Similarly *luctum-gemitum-fletum* are introduced by *quantum*, while the reiteration of the final phoneme *-um* creates a rhyme that extends to *fact(um)*, a lexical unit tightly linked to *fletum* by the duplication of the initial consonant. Other notable features include the juxtaposition of socially antithetical terms in *decemviros Bruttiani* (since after the victory over Hannibal, the Bruttiani were made slaves of Roman magistrates as a punishment for their defection). This antithesis is in turn embedded in a construction characterized by a chiasmus: *decemviros Bruttiani* (A) *verberavere* (B), *videre* (B) *multi mortales* (A). The pairing of two seemingly cognate words in *opinamini animi* and the strategy of accumulating synonyms are noteworthy as well. The latter are distinguished by the lack of conjunctions (asyndeton) as in *iniurias, plagas, verbera, vibices* or are linked by the conjunction *atque* as in *dolores atque carnificinas* and *per dedecus atque maximam contumeliam*. Finally, the colometric analysis of the final period (*servi iniurias nimis aegre ferunt* / *quid illos, bono genere gnatis* / *magna virtute praeditos* / *opinamini animi habuisse atque habituros* / *dum vivent?*) would point to Cato's predilection for ending a syntactical structure with a short and unemphatic colon. Mapped on the long-short sequence of cola found in the few textualized samples of *carmen* we have, this device is generally identified as "appositional style" (Albrecht 1989: 4–5, 18, 20; Habinek 1985: 175–81).

If these features indicate that Cato's oratory is to be connected with the culture of the Italic *carmen*, others point to the newly established tradition of poetry. In this sense poetry is to be understood as a variegated cultural form characterized by performances based on written translations of Greek literary materials pursued by professional craftsmen of the word named *poetae*. Among these we find Livius Andronicus, Plautus, Naevius, Ennius, and Terence.

It has long been recognized that the scripts of the early poets present the same type of phonetic repetitions noted in Cato's oratorical texts and in the Italic *carmen*. In poetry, however, words and sentences were primarily organized within verses constrained by quantitative patterns derived from the Greek tradition, generally called meters. Some of these meters are identifiable in Cato as well. An important study of colon-final and sentence-final metrical occurrences (Habinek 1985: 187–200) shows that double spondees (— —) emerge at the rate of 22.8 per cent and identifies fewer but notable instances of the hypodochmius (— — — —), the ithyphallic (— — — —), the reizianum (— — — —), and the heroic clausula (— — — —). In Plautine comedies these meters characterize the conclusion of metrically variegated sung pieces called *cantica*; in Cato's oratory, by contrast, they tend to mark the end of a syntactical structure or colon, but are also used for the purpose of emphasizing phonetic reiterations. In the speech against Thermus cited above, for example, double spondees emerge in the closing phrases *multī mōrtālēs, bonī cōnsūltīs, fāct(um) āūdīvī, habitūrōs dūm vīvēnt*, while earlier a hypodochmius frames once an initial colon (*quis hanc cōntūmēliām*) and twice a mid colon (*atque maximam cōntūmēliām* and *magna virtūtē prāēdītōs*). Moreover, in a passage already analyzed from the perspective of the Italic *carmen* the pervasive reiteration of trochees stresses phonetic, lexical,

and syntactical repetitions: *quāntū lūctū / quāntū gēmītū / quīd lācrīmārū / quāntū flētū fāct(um) āūdīvī*. On one level this analysis demonstrates that Cato's oratory stands out as pervasively rhythmical in spite of Cicero's and Gellius' remarks. On another level the formal and triangular relationship of Cato's oratory with the Italic *carmen* and professional poetry expands our horizon of investigation.

Cato employs verbal devices belonging to the preexisting culture of the *carmen*, but he also displays his command over the verbal medium more generally when—to achieve particular effects—he adopts quantitative structures derived from drama. This double link encourages an understanding of oratory as a song, that is, as a cultural expression marked by ritualized speech acts and bodily movements (Habinek 1998b). Understanding oratory in this way has its own methodological advantages because it allows us to focus on the sociocultural aspects that made oratory similar to and yet distinct from other types of song, including drama. Formalization (the repetition of certain verbal and bodily acts) and periodization (the repetition of these acts at certain times) suggest that oratory was homologous to any type of song. And yet drama and oratory can also be classified as civic songs since they were both performed in the public space. As opposed to drama, however, oratory was privileged in its significance and consequences because access to the public contexts in which oratory was practiced was highly regulated and exclusively limited to those who belonged to the highest echelons of society. Accordingly, vested with sociocultural authority an orator like Cato exercised the freedom to echo, deny, or invert other songs, including drama, in order to manipulate the impact of his performances.

The oratorical appropriation of poetic meters, however, points to a larger phenomenon as well. In fact, it indicates that in the second century BCE the repertoire of the upper crust of Roman society was increasingly being expanded by means of cultural materials and practices derived from the Greek tradition. If the early poets facilitated this cultural expansion through performances based on their translations of Greek literary works, Greek rhetors impinged on the practice of speech making more directly by becoming involved in the education of young aristocrats. This involvement allowed new generations of Roman rulers to capitalize on the teachings of these professionals (who did not enjoy the right of entry in the contexts of oratory) in order to disarm their opponents and to maneuver the emotions of their audience(s). Yet at the beginning this outcome was problematic because it upset the ways in which social values and expectations had been controlled and transmitted from one oratorical performance to another and from one generation of rulers to the next.

Oratory and the Body: Gaius Gracchus

Conceptualizing oratory as song forces us to pay attention to the body-in-performance as well. Because of their intrinsically reductive nature, the surviving texts do not allow us to directly pinpoint the bodily movements that in the second century BCE sustained the speech act during an oratorical performance. Modern observers must turn to Cicero once again. In his rhetorical works Cicero does not discuss these aspects in relation to Cato, but he does mention them when looking at the oratorical import of Gaius Gracchus.

In the historical memory of the late republic the oratory of Gaius Gracchus is tightly bound up with his political career and that of his brother Tiberius. As plebeian tribunes (Tiberius in 133 BCE and Gaius in 122–121 BCE) the two proposed a series of reforms. These included an expanded political participation for the equestrian order (comprising primarily landowners and businessmen who did not traditionally engage in a political career), the distribution of public land to increase the number of citizens suited for military service, and the extension of Roman citizenship to the Italian allies. Their political strategies soon met the resistance of those senators who perceived the reforms as a threat to their well-established hegemony. The tensions caused by the proposals of the two brothers escalated to violence. In 133 BCE Tiberius and 300 of his supporters were beaten to death during a popular assembly by a group of senators and their clients. In 121 BCE Gaius killed himself and 3,000 of his followers were tried and executed. A century or so later these events were reimagined as the seeds of the discord that led to the civil wars and the death of the republic.

In the *Brutus* Cicero gives details about Gaius' oratorical training when speaking about the eloquence of his brother Tiberius, of which no direct evidence survives. Their mother, Cornelia, looked after their education and provided them with the most renowned rhetors of the time. Among these Cicero singles out Diophanes of Mytilene and Menelaus of Marathus (*Brut.* 100, 104, 211). When he finally comes to discuss Gaius individually Cicero praises his excellent intellect and passionate political engagement, but he also denounces his relentless loyalty to the dead brother (125–6). With these words Cicero alludes to the outcomes of Gaius' political choices, but ten years or so before he had most clearly tied Gaius' oratorical exuberance to the overall crisis of the republic.

In the *De Oratore*, a dialogue set in 91 BCE, the character of Quintus Mucius Scaevola praises the natural and educated eloquence of the two Gracchi brothers. Yet he also stresses that with that same eloquence they managed to shatter the state that they had inherited and that their father's advice and their grandfather's valor had made prosperous (*De Or.* 1.38). Toward the end of the dialogue, when the character of Crassus expounds on the proper use of gesture and voice, this issue emerges once again but more subtly. In this context Crassus cites a passage from a speech that Gaius delivered not long before his death:

quo me miser conferam? quo vertam? in Capitoliumne? at fratris sanguine redundat. an domum? matremne ut miseram lamentantem videam et abiectam? (Cicero, *De Oratore* 3.214)

Where should I go, wretched as I am? Where should I turn? To the Capitol? But it is filled with my brother's blood! Should I go home? To see my wretched mother wailing and distressed?

To this Crassus adds that Gaius made such a use of his eyes, vocal pitch, and gestures that even his enemies could not hold back their tears (*De Or.* 3.214). Later on Crassus underscores the dramatic dimension of Gaius' oratory: first, he cites a passage from Ennius' *Medea*, in which the formidable heroine likewise wonders: *quo nunc me vortam?* ("where shall I turn now?", 3.217); afterwards, he recounts that when Gaius delivered his speeches he was wont to have a flute player standing behind him to help

him keep in check the modulation of vocal pitch (see also Val. Max. 8.10.1; Quint. *Inst.* 1.10.27–8; Cass. Dio 25.85.2). Crassus approves the use of pitch modulation during oratorical performances, but he suggests that the flute player be left at home (Cic. *De Or.* 3.226–7). Within the economy of the *De Oratore* Crassus' final intervention looks backwards to Scaevola and to his comments on the disruptive consequences of an exceedingly theatrical oratory, but also forward to the death of Crassus and the horrors of the Social war.

Post-Ciceronian commentators all focus on Gaius' manipulation of the emotions; yet they produce two contrasting images by turning their attention to the body to the exclusion of the word and vice versa. Plutarch, for example, transforms Gaius into the ultimate paragon of a demagogic oratory that uses performance devices drawn from the theater in order to sway the emotions of the populace (see also Val. Max. 8.10.1; Tac. *Dial.* 26): he moved on the speaker's platform excessively, had the habit of beating his thighs, and let his toga fall inappropriately from his left shoulder (Plut. *Ti. Gracch.* 2, *C. Gracch.* 4.1). Conversely, Gellius stresses that Gaius was vehement and forceful (*NA* 10.3.1), but by pursuing a more textually oriented reading he makes no concessions to the expression of emotions: Gaius' way of speaking was characterized by the *brevitas* ("conciseness"), *venustas* ("elegance"), and *mundities* ("purity") that one would find in comedy (10.3.4) and his lexical choices veered toward the colloquial (10.3.6; see also Quint. *Inst.* 12.10.10; Sen. *Ep.* 114.13). Gellius produced these comments after comparing the written version of the 122 BCE speech *De Legibus Promulgatis* with Cato's speech against Thermus, analyzed above, and Cicero's *Verrines* 2.5.161–3. Here is one of the fragments that Gellius uses for comparison:

nuper Teanum Sidicinum consul venit. uxor eius dixit se in balneis virilibus lavari velle. quaeastori Sidicino M. Mario datum est negotium, uti balneis exigerentur qui lavabantur. uxor renuntiat viro parum cito sibi balneas traditas esse et parum lautas fuisse. idcirco palus destitutus est in foro eoque adductus suae civitatis nobilissimus homo M. Marius. vestimenta detracta sunt, virgis caesus est. Caleni, ubi id audierunt, edixerunt ne quis in balneis lavisse vellet cum magistratus Romanus ibi esset. Ferentini ob eandem causam praetor noster quaestores abripi iussit: alter se de muro deiecit, alter prensus et virgis caesus est. (Gaius Gracchus, *Orationes* 48; Malcovati 1976⁴: 191–2)

Recently the consul came to Sidicinian Teanum. His wife asserted that she wanted to bathe in the men's baths. The Sidicinian quaestor Marcus Marius was ordered to have those bathing leave the baths. The wife reported to her husband that the baths had not been handed over to her quickly enough and that they were not very clean. At this, a pole was brought down and placed in the Forum and Marcus Marius the most distinguished man of his community was taken there. His clothes were stripped off and he was flogged with sticks. When they heard about this, the people of Cales promulgated an edict to the effect that no one was to be allowed to bathe in the baths when a Roman official was there. For this reason in Ferentinum our praetor had the quaestors dragged off. One threw himself from the wall, while the other was seized and flogged with sticks.

Commenting on this fragment, modern critics (Albrecht 1989: 33–53; Courtney 1999: 124–33; Cavarzere 2000: 85–7) have highlighted the following features: a seemingly careless use of word repetition (those referring to the baths and to the bathing) that does not achieve any particular sound effect; the asyndetical stringing of

sentences (except for the one beginning with *idcirco*), and the more general reiteration of demonstratives (*eius...*, *idcirco...*, *ubi id audierunt...*, *ob eandem causam*). Moreover, critics have noted that the narration is characterized by binary structures. These are marked by repetitions of the same word (as in *uxor-uxor*) or proper nouns (as in *Caleni-Ferentini*) in initial position and by alliterating pairs within the same period (*vestimenta-virgis*, *alter-alter*).

In years past the lack of subordination and the alignment of short sentences noted in the passage above were interpreted as signs of primitive simplicity. More recently, however, it has been emphasized that such an interpretation was based on a purely textual appreciation of the passage and denied the performative dimension that made Gaius' oratory memorable (e.g., Cavarzere 2000: 86–7; Albrecht 1989: 48). Moreover, the validity of this interpretation is called into question by Gaius' adoption of elaborate metrical parallelisms, which emerge most remarkably in the remains of another speech:

quare vos cupide per hosce annos adpetistis atque voluistis, ea si temere repudiastis abesse non potest quin aut olim cupide adpetisse aut nunc temere repudiastis dicamini.
(Gaius Gracchus, *Orationes* 32; Malcovati 1976⁴: 184)

If you inadvertently were to repudiate what you have passionately desired and wanted, there is no way that you can avoid it being said that either you once passionately desired these things or that you now have inadvertently repudiated them.

As has been noted (Norden 1958: 172), the passage is mapped on an antithesis marked by two rhythmical units containing the same number of syllables (thirty-one each) and characterized by two subunits of ten syllables within the second, punctuated by *aut-aut*. Furthermore, in the passage the end of the longer rhythmical units (*repudiāssē dīcāmīnī*) is framed within two cretics (—[∨]—[∨]—), one of Cicero's favorite clausulae. The emergence of this clausula here and in other places (see above, e.g., in *mē mīser cōnfērām*, *De Or.* 3.214; Malcovati 1976⁴: 196) is often read as a tentative step toward Ciceronian norms. What generally goes unremarked is that Cicero's choice of metrical structures at the end of periods over others was prompted by a later contest organized around a rhetorically defined opposition between "Asianism" and "Atticism." Gaius' selection of clausulae by contrast was dictated by an attempt to fully exploit cultural materials rendered available by non-elite professionals.

As it stands, the two-faced portrait of Gaius painted in antiquity, the fiery demagogue ready to manipulate the emotions of the mob and the rational intellectual who made good use of rhetorical techniques recommended by his Greek teachers, continues to dominate the scholarly discussion. Some are still tempted to classify Gaius as an Asianist in the making because of his attentive eye to metrical patterns and movements of the body (e.g., Cavarzere 2000: 87–8). Others acknowledge Gaius' metrical sophistication and bodily bravura, but refrain from defining Gaius as an Asianist altogether (e.g., Courtney 1999: 132–3). In one way or the other, however, the discussion remains somewhat trapped in the perspective of Cicero and his successors. In the attempt to rescue Gaius from the accusation of primitive simplicity, for example, his allusion to drama in the speech cited by the Ciceronian Crassus has been linked to Euripides' *Medea* (502–5) rather than to Ennius' (Albrecht 1989: 49) or to

Demosthenes' second speech against Aphobus (Leeman 1963: 56–7). By the same token Gaius' gestures to poetry in words and imagery have been viewed as a clear indication of his rhetorical training because rhetors used to cite poetic passages to exemplify their teachings (Albrecht 1989: 49). As a result the direct effects of poetry on early oratory are still underexplored and the performance dimension of early oratory is still understood within later parameters.

Ancient commentators emphasize Gaius' exploitation of bodily and musical means; this fact, however, should not lead us to think that Cato did not do the same. Gaius made the most of bodily movements akin to the theater and, at least on one occasion, he went as far as to cite the words of a play that his audience must have seen performed on stage. But Cato drew on the theater as well, since throughout his orations he uses metrical patterns that typify the most musical parts of Plautus' comedies. On the other hand, Gaius' use of a flute player during his performances does not appear particularly theatrical if extrapolated from Cicero's discussion in the *De Oratore* and once it is recognized that a song culture existed in Rome well before the advent of poetry. After all, the tradition of the Italic *carmen*, often advocated in discussions of second-century BCE oratory, most clearly entailed a musical and a bodily dimension that were lost the very moment any sample of this tradition came to be written.

Oratory and the Text: Concluding Remarks

According to Cicero, Roman oratory effectively began when the Roman elite learned to write their speeches. This claim makes sense only within Cicero's effort to canonize his oratory and to salvage oratory itself from the wreckage of the republic. But the fact that Cicero could indeed turn to texts of speeches produced by his predecessors and that, albeit in fragments, these texts have survived to our time raises at least two questions. Why did the Roman elite begin to write their speeches only at the turn of the third century BCE? And, what is the place that writing occupied in second-century BCE oratorical practices?

The Romans were familiar with writing well before the late third century BCE, but after her military successes abroad, Rome witnessed the burgeoning of a culture of professionals that made extensive use of writing (Habinek 1998a: 34–68). One of the outcomes of this new culture was poetry, but poets were not the only professionals who relied on writing. In fact, the Roman elite started to surround themselves with literary slaves and/or freedmen generally called *litterati*. Whereas these facts confirm that writing *per se* was a non-elite activity, it is clear that the Roman elite soon became interested in what professional writers could do for them.

As we have seen, in the *De Oratore* (3.225), Cicero introduces the anecdote about Gaius' use of a flute player through the character of Crassus. In the same passage Crassus invites Catulus to find confirmation of the veracity of the anecdote from one of his clients, who had at a certain point served Gaius in the function of scribe. Moreover, in *Brutus* 87 Cicero mentions the presence of literary slaves while narrating another anecdote, this time about Galba, the governor of Spain whom Cato attacked in the final year of his life. In the first case Cicero does not specify the role fulfilled by the slave in Gaius' oratorical activities, but in the second he makes clear that Galba mapped out his speech (*commentari*) by dictating different things to

different scribes. A more compelling testimony to this phenomenon, however, comes from Cato's *De Sumptu Suo*:

iussi caudicem proferri ubi mea oratio scripta erat de ea re quod sponsionem faceram cum M. Cornelio. tabulae prolatae: maiorum benefacta perlecta: deinde quae ego pro re publica fecissem leguntur. ubi id utrumque perlectum est, deinde scriptum erat in oratione: "numquam ego pecuniam neque meam neque sociorum per ambitionem dilargitus sum." attat noli, noli <s>cribere, inquam, istud: nolunt audire. deinde recitavit: "numquam <ego> praefectos per sociorum vestrorum oppida inposivi, qui eorum bona liberos diriperent." istud quoque dele, nolunt audire; recita porro. "numquam ego praedam neque quod de hostibus captum esset neque manubias inter paucos amicos meos divisi, ut illis eriperem qui cepissent." istuc quoque dele: nihil <e>o minus volunt dici; non opus est recitato. "numquam ego evectionem datavi, quo amici mei per symbolos pecunias magnas caperent." perge istuc quoque uti cum maxime delere. "numquam ego argentum pro vino congiario inter apparitores atque amicos meos disdidi neque eos malo publico divites feci." enimvero usque istuc ad lignum dele. vide sis quo loco re<s> publica siet, uti quod rei publicae bene fecissem, unde gratiam capiebam, nunc idem illud memorare non audeo ne invidiae siet. ita inductum est male facere inpoene, bene facere non inpoene licere. (Cato, *De Sumptu Suo* 51.169; Cugusi 1982: 110–11)

I ordered the tablets to be brought out on which my speech concerning the judicial wager with Marcus Cornelius had been written. The tablets were fetched: the services of my ancestors were read out; then those that I had done for the state were read. When the reading out of both of these was finished, the speech went on as follows: "Never have I lavished my money or that of the allies in order to win favors." "Oh no!" I said "Don't, don't write that." Then he read out, "Never have I imposed prefects on the towns of your allies, to plunder their property and their children." "Delete that too; they don't want to hear that. Read further." "Never have I divided booty taken from the enemy or prize money among the small circle of my friends and therefore snatched it away from those who had captured it." "Erase as far as that too: there is nothing they want said less than that. It is not needed; read on." "Never have I granted travel passes so that my friends could gain large sums by means of the warrants." "Go on and delete up to there too, immediately." "The money intended for the wine distribution I have never shared out among my attendants and friends nor have I made them rich to the detriment of the state." Most certainly erase that, right down to the wood. See, if you please, in what condition the state is, when for fear that it could cause anxieties I dare not recall the good services that I performed for the state, from which I used to gain gratitude. Thus it has become normal practice to do ill with impunity, but not to be allowed to do well without impunity.

Most critics agree that in this speech Cato represents himself in the act of planning the speech that we read today. In this scene he can be seen to tamper with the text of a previous speech through the mediation of a literary slave (Cavarzere 2000: 44; Kennedy 1994: 107–8; Astin 1978: 135–6; *contra* Courtney 1999: 89–90). As such the speech confirms that during Cato's lifetime using literary slaves in the preparation of an oratorical performance was a growing practice. Yet the scene represented within it has also raised the possibility that Cato went as far as to elaborate an actual script for the performance to come rather than limiting himself to the preparation of a plan or a *commentarius*. In this view Cato would seem to be giving up the art of oral improvisation and moving toward the art of reenacting a prepared text (Astin 1978: 136; Cavarzere 2000: 46–7).

In *Brutus* 91–2, however, Cicero points to a quite different picture. While discussing the oratorical merits of Galba, Brutus asks Cicero why nothing of his performance skills can be detected in the written speeches that he left behind, something that cannot be tested in those who did not write at all. Cicero replies that some orators did not write anything because they were unwilling to add another task at home to their exertion in the Forum. With this, he also adds that most orations are written after and not before the delivery: *pleraeque enim scribuntur orationes habitae iam, non ut habeantur* (“for, of course, most orations are written after, and not for, delivery,” *Brut.* 91). What Cicero’s assertion implies is that oratorical texts were not scripts, as we may tend to believe by relying on our own cultural practices; but rather transcripts produced after the oratorical performance. Accordingly the text of the *De Sumptu Suo* would indeed represent Cato modifying the transcript of a previous performance while preparing for a new performance, but it would also be the transcript of that very new performance. By the same token the *De Sumptu Suo* clearly suggests that an oratorical text was not socioculturally valuable simply because of its written nature, but because it memorialized a performance carried out within a socioculturally authoritative space by a socioculturally authoritative performer. Within this larger picture Cicero stands out as an odd case, for he did not limit himself to the transcription of actually delivered speeches; he also produced texts of speeches never delivered and treated them in the same way as if he had (Narducci 1997: 161–2). This fact demonstrates once again that Cicero had a particular stake in valorizing writing and in constructing Rome’s oratorical past as he did.

FURTHER READING

No translations of the fragmentary speeches of the early Roman orators are available in English. Cugusi and Cugusi (2001), in Italian, provides a convenient text of the entire Catonian corpus, including the so-called rhetorical precepts attributed to the *Ad Filium*, together with translation and notes. As for individual Catonian orations, Calboli (1978), in Italian, provides a thorough discussion of the political issues surrounding the *Pro Rhodiensibus*; for the *De Sumptu Suo*, see Suerbaum (1993), in German, in addition to the works mentioned in the discussion above. Suerbaum (2004), in German, offers a useful overview of Catonian scholarship.

Some of the fragments of Gaius Gracchus are discussed in Courtney (1999: 124–33), while Malcovati (1976⁴) continues to be the canonic reference. On the category of *eloquentia popularis* (“popular eloquence”) often attributed to Gaius Gracchus, David (1980), in French, provides useful insights.

For a general discussion on the impact of Greek culture on Roman identity in this period, see Gruen (1992). On the relationship between early Roman oratory and Greek rhetoric, see the discussions in Clarke (1996³); Kennedy (1994); and Cavarzere (2000), in Italian. On the reception of Greek rhetoric in particular, see Stroup in this volume (chapter 3). For a socio-historical overview of republican oratory, see David (1992), in French.

For a helpful collection of archaic texts, see Palmer (1961³: 74–147). A convenient guide to problems and theories relating to Latin prose rhythm is Oberhelman (2003); for the early orators see especially Oberhelman (2003: 239–47). On the relationship between oratory and poetry from the perspective of drama, see Barsby in this volume (chapter 4).

PART II

Rhetoric and Its Social Context

CHAPTER SIX

Rhetorical Education and Social Reproduction in the Republic and Early Empire

Anthony Corbeill

In assessing the relationship between rhetorical education and social reproduction, I shall examine in particular which themes a young orator of both republic and empire would normally treat in rhetorical exercises and how these themes change according to both the speaker's expectations for advancement and his relationship with the Roman state. The means by which social power is created through education changes with the transformation from republic to empire. Implicit throughout is my assumption that Roman rhetorical education aims not toward some idealized state of objectivity to which its male students are "led out" (the root sense of *educatio*) but serves, both in its late republican and imperial manifestations, to replicate and reestablish the previous generation (as in the Latin *institutio*; for replication see Bourdieu and Passeron 1990). In articulating this process of replication for each period, I shall in part be addressing the challenges offered by Beard (1993), who suggests that the Roman declamatory exercises of the first centuries CE function as "cultural myth-making." Declamation, that is, uses a restricted set of fictional scenarios to work out – through continual study, rehearsal, and performance – what it means to be "Roman." This claim is quite suggestive and, as the final section of this essay details, recent scholarship indicates ways in which imperial declamation does act like myth as a site for debate, but it is a debate that ultimately serves to recreate and reinforce social and political hierarchies. I shall begin, however, in the late republic by asking what type of myth-making this imperial practice may have supplanted.

Stages in Education

As in nearly every period of Greek and Roman antiquity, there was no state control in the Roman republic over schools, teachers, or curriculum (Morgan 1998: 25–33). Students would have begun their education with the rudiments of grammar and reading in Latin; the ideal offered in texts is that this instruction would have been overseen by the parents and then, later, by tutors hired in the home (Bonner 1977: 20–33). As contact with Greek culture increased in the third century BCE, so too did the desire for acquiring facility in Greek language and rhetoric. This training in Greek would have been available strictly to those families with the means to acquire native speakers, either slaves or freedmen, to teach their children. As a result, it is probable that members of the nonwealthy classes were rarely trained beyond basic literacy and numeracy (Corbeill 2001: 269–70). Beyond this level, education continued with the student mastering a series of preliminary exercises that served to prepare him for the practice of oratory. These exercises, supervised by either the teacher of literature (*grammaticus*) or the more advanced teacher of rhetoric (*rhetor*), included rote types of learning that ranged from the retelling of well-known narratives (particularly from myth) with developing degrees of sophistication to the memorization of commonplaces and gnomic sayings; in the final stages students would participate in preliminary debates on set themes divorced from any particular legal or historical context (e.g., “whether country or city life is more desirable”; Webb 2001).

As one would expect, this form of education allowed little room for individual thinking by the pupil, involving as it does principally the reception and reproduction of traditional information (Morgan 1998: 223–5). Moreover, as Morgan notes, the type of moral precepts used in this early stage differed from that among the Greeks; whereas in the Greek system uncontextualized gnomic sayings are used to instill ethical values, at Rome “there was a stronger tradition of looking to the words and deeds of great men of the past for values and instruction” (Morgan 1998: 144–5, citing Quint. *Inst.* 12.2.30). The values inculcated through these preliminary exercises when viewed as a whole are what one would expect for pre-teen males of the upper levels of Roman society: a respect for preserving social order and the promotion of self-control as an ideal for the individual (Webb 2001: 303–5). The desire for maintenance of the social status quo that one sees in this early stage of instruction will also constitute a motif of our extant Roman declamatory texts, where normally revered values are publicly contested and, usually, reaffirmed.

Suetonius, in the introduction to his discussion of famous teachers of rhetoric at Rome, asserts that Romans of the second century BCE were initially resistant to introducing the teaching of Greek-style rhetoric into their culture (*Rhet.* 25.1). This opposition was, however, only apparent, since eventually these Greek teachings grew to characterize the Roman elite: there is no clear evidence that any schools existed before 93 BCE that provided publicly available instruction in Greek or Latin (Schmidt 1975: 192–4). Furthermore, of the thirty-nine private teachers of grammar and rhetoric known at Rome, approximately thirty seem to have been either slaves of prominent Romans, or freedmen with close ties to their former masters (Christes 1979: 179–92). These circumstances indicate that the Roman elite used education as a means of distinguishing itself from those members of society unable to gain

exposure to rhetorical theory and practice. It is in this context that one can best understand the much-discussed censorial edict of 92 BCE that expressed disapproval of the teaching techniques of the so-called “Latin rhetors”; education in the Latin language made available teachings hitherto restricted to the elite and such a move toward democratization needed to be checked (Corbeill 2001: 268–75).

During the republican period, another important component of rhetorical training involved the observation of established orators and politicians. Cicero tells us that, beginning in his mid teens, he was constantly in the Forum and listening “nearly every day” to orators in criminal court cases and to magistrates addressing public assemblies (*Brut.* 304–5). A more formal process in shaping the nascent orator was also one more restricted in access than a simple visit to the Forum. In the so-called *tirocinium fori*, elite Roman adolescents accompanied well-known politicians – either relatives or friends of the family – and were taught by example how to express opinions among peers and discern between competing sides of an issue. During this stage of education, the already privileged are initiated directly into the ranks of power through personal observation (David 1992: 311–407). A further aspect of education that benefited primarily the children of the ruling elite was the opportunity to travel in the east and study in particular rhetoric and philosophy – a stage in the educational process that by the final generation of the republic “was perhaps almost obligatory for young men of the upper class” (Rawson 1985: 9–12). Each facet of rhetorical education during the republic – its dominance by Greek both at home and abroad, the apprenticeship with experienced politicians – ensures that rhetorical power remains primarily in the hands of the established elite. It is now time to turn to one particular aspect of the content of this instruction – the declaiming of set themes – to show what types of social values were propagated by these declaimers, and how they may have changed as Rome moved from a republican form of government to one ruled by an autocratic emperor.

Content of Education

Despite Seneca’s assertion that the practice of declamation only became popular during his own lifetime (*Controv.* 1 *praef.* 12), scholars have convincingly shown that by the most obvious interpretation of his words Seneca is quite inaccurate, since exercises resembling imperial declamation had been commonly practiced in rhetorical education from as far back as fifth-century Greece (e.g., Fairweather 1981: 102–31; Russell 1983: 1–20). Still, it is hard to know why Seneca would make such a misleading assertion. A closer analysis of the developing subject matter of these exercises may reveal, however, the lines along which Seneca was thinking. During the republic, as I have noted, rhetorical education among the elite both entailed and emphasized involvement in the political world, especially as seen through the training undertaken in the apprentice-style *tirocinium*. I would like to suggest that such a concern is also reflected in the subject matter that exercises of the period cover. This hypothesis is supported by the assertion of Suetonius that the school debates before his time (*veteres controversiae*) derived their themes from either historical events or from recent occurrences and included specifically named geographic settings (*Rhet.* 25.5; Kaster 1995: 283–90). That republican practice contained more factual themes than those found in Seneca is also supported by the thorough study of Stroh (2003)

on the Latin term *declamatio* and its related forms. *Declamare* and *declamatio* were never used in the late republic to apply to school exercises in general, but in fact had a pejorative connotation in their application to practicing orators, where they describe an ineffective or overemotional style of speaking (cf. Fairweather 1981: 127–9). The Latin word for “declaimer,” in fact, is contrasted by Cicero with the speaker who is doing the business appropriate to an orator, that is, actively working in the Forum: *non vobis videtur cum aliquo declamatore, non cum laboris et fori discipulo disputare?* (“does he not seem to you to be arguing with some declaimer, and not with one who has studied hard in the Forum,” *Planc.* 83). It is apparently only in the late fifties or early forties BCE that forms of *declamare* come to be applied to speech training in the presence of a teacher. Why would a pejorative term become the *vox propria* for the aspect of rhetorical training that entailed delivering pieces on a set theme? Stroh observes that during this period, marked by political chaos and civil war, our sources record a number of prominent politicians turning in adulthood to resume their study of public speaking – Hirtius, Pansa, Dolabella, Pompey, Mark Antony, Octavian – and suggests that the term *declamatio* was self-consciously applied by its instructors to mark this new kind of training, one abstracted from the “real” matters plaguing the state. Such a reconstruction helps provide a context for Seneca’s claim that the declamation he describes marks something new.

The young Cicero, composing his treatise *De Inventione* around 90 BCE, emphatically rejects as unsuitable for oratorical training into the world of Roman politics such abstract philosophical debates as “can the senses be trusted?” (*verine sint sensus?*, *Inv. Rhet.* 1.8). At this early stage of his career, Cicero finds appropriate subjects for rhetorical exercises in incidents drawn from myth or from Greek and Roman history; for example, whether it would be advantageous to destroy Carthage (1.11; see too 1.17, 72). In many of the sample exercises that this text offers, it is possible to discern clear traces of themes that would come to dominate declamation in the imperial period. One example in particular, a debate over which survivors may rightfully claim the cargo of a shipwreck, contains the unreal coincidences and unlikely development that typify many of the *controversiae* found in the elder Seneca’s collection (*Controv.* 2.153–4; cf. *Rhet. Her.* 1.19). These more imaginative scenarios do not, however, constitute the bulk of Cicero’s subject matter. To take one example, the legal authority that all fathers have over their sons (*patria potestas*) is the point of controversy in an example drawn from Roman history; as in the imperial period, the student is expected to represent both sides of the case (*Inv. Rhet.* 2.52; see too, e.g., 2.91). The example adduced by Cicero differs, however, from the imperial examples, where fatherly authority is most often disputed in a world of unjust tyrants and wicked stepmothers; the Ciceronian theme, by contrast, takes place in the Roman Forum, where a father is accused of treason for preventing a tribune of the people – his son – from addressing an assembly. The conflict with which the young orator engages treats the relative importance that affairs of state have in contrast with the legal power a Roman father may wield over his private household. State concerns remain predominant in such a school exercise.

This tendency to emphasize political themes is reflected in the exercises offered by the other rhetorical treatise from this period, the anonymous *Rhetorica ad Herennium*. This text, probably dating to the eighties BCE, includes as examples of typical legal controversies cases in which the dispute concerns Roman laws that are firmly

attested as historical (e.g., 1.20, 1.23). The most explicit example that the author gives is taken, as in Cicero, from a political controversy drawn from Roman history, in which the quaestor Caepio prevents the tribune Saturninus from proposing a law to the people in the face of a veto (1.21). When the treatise later comes to discuss explicitly how to define the terms of debate for this case, the issue to be argued, both pro and *contra*, is *maiestatem is minuit qui amplitudinem civitatis detrimento afficit* (“he diminishes the state’s authority who tarnishes its prestige,” 2.17). The conflict is entirely centered on the question of the duties of citizens and magistrates: whether it is appropriate to violate Rome’s laws in order to preserve its dignity. A survey of the other themes for debate given in both *Rhetorica ad Herennium* and Cicero’s *De Inventione* confirms that both treatises are more state-centered and less fanciful than their counterparts in the early empire (Bonner 1949: 23–8).

The extant topics of late republican declamation emphasize historical situations and the relationship of individual to state more than its imperial counterpart. It is possible that this bias toward more strictly political topics in the republic is an accident of transmission – after all, the nature of a collection such as Seneca’s, with its premium on public display, would naturally favor outlandish scenarios more than a sober rhetorical treatise (Bonner 1949: 22–3). And yet a consideration of Cicero’s final years, when he jokes about taking on “adult schoolboys” for private declaiming during times of political turmoil (Suet. *Rhet.* 25.3; cf. Sen. *Controv.* 1 *praef.* 11), anticipates how the set pieces of the past would become the showpieces of the empire.

Declaiming with Cicero

During the dictatorship of Julius Caesar, Cicero withdrew from public life. As a seeming complement to this removal from politics, his oratorical exercises gravitate toward the philosophical topics that the young author of *De Inventione* had found so inappropriate (Cic. *Fat.* 2–3; more generally, Bonner 1949: 2–11). But this move toward abstract speculation is only apparent, since Cicero makes clear that the philosophical questions with which he is engaged have direct bearing on the state of affairs in contemporary Rome. In a letter written to his friend Paetus before Caesar’s assassination (July 46), Cicero remarks with wistful irony that since he has been deprived of his “reign in the Forum” he seeks refuge in opening “a kind of school” of rhetoric, whose first pupils are Hirtius and Dolabella, close friends of Caesar (*ego sublati iudicii amisso regno forensi ludum quasi habere coeperim*, *Fam.* 9.18.1; cf. 9.16.7). It would be wonderful to know what themes were engaged by this politically disparate group. Fortunately, we are able to glean from his correspondence what he debated immediately after the death of Caesar, when his “pupils” now include both consuls designate for 43, Hirtius and Pansa (*Att.* 14.12.2). It is in this context that we come to understand that Cicero is not the only Roman to equate rhetorical exercise with the free republic. In a letter to Atticus, he mentions that Brutus and Cassius, the leaders in Caesar’s assassination, want Cicero to make Hirtius a “better person” (*meliozem*); Cicero’s reply is to confirm that Hirtius indeed “speaks very well” (*optime loquitur*, 14.20.4). Did Brutus and Cassius have in mind Cicero’s declamatory exercises with Hirtius when making their request (*contra* Kaster 1995: 276)? An indication that they did comes from another letter to Atticus written a few days later. Cicero mentions how his “pupil” (*discipulus*)

Hirtius is unconvinced that the turmoil caused by Caesar's death can be peacefully resolved. Cicero makes clear how he knows that Hirtius is so certain:

ὑπόθεσιν autem hanc habent eamque prae se ferunt, clarissimum <*virum*> interfectum, totam rem publicam illius interitu perturbatam, irrita fore quae ille egisset simul ac desiste<*re*>mus timere, clementiam illi malo fuisse, qua si usus non esset, nihil ei tale accidere potuisse. (Cicero, *Epistulae ad Atticum* 14.22.1)

This is the theme that they are presenting: a great man has been killed; the entire state is shaken by his death; everything that he had accomplished would be null and void once we've stopped being afraid; his clemency was his downfall and, if he'd not practiced it, nothing like this could ever have happened to him.

The word that I have translated here as "theme" stands out in Cicero's formulation – not only is it emphatically the first word, but it is a Greek word introducing a long Latin sentence. That word, *hypothesis*, is the technical term used for rhetorical exercises deployed about particular persons and situations (cf. *Att.* 1.14.4, 12.45.2, esp. 15.1a.2). Perhaps Cicero is simply being metaphorical; I prefer instead to believe that he expects Atticus to recall one of the commonest themes of rhetorical exercises, that of the cruel tyrant. This theme occupies a key portion of the treatise that Cicero was to write later in this same year, *De Officiis*, where it is explicitly applied to Julius Caesar: a state cannot be run properly through the fear that typifies tyranny (2.23–9) and murder is justified when the victim is a tyrant (3.19, 32, 82–3). This lively theme, appropriate for the final years of the republic, will undergo an interesting transformation in the different political atmosphere of the empire.

Declaiming after Cicero

Since antiquity, the outlandish themes of imperial declamation have invited derision for their distance from everyday reality and hence their inappropriateness in preparing students for the courts. The remarks of a young man in Petronius' *Satyricon* provide an idea of both the sorts of themes regularly treated in these exercises and a typical contemporary response:

et ideo ego adulescentulos existimo in scholis stultissimos fieri, quia nihil ex his, quae in usu habemus, aut audiunt aut vident, sed piratas cum catenis in litore stantes, sed tyrannos edicta scribentes, quibus imperent filiis ut patrum suorum capita praecidant, sed responsa in pestilentiam data, ut virgines tres aut plures immolentur. (Petronius, *Satyricon* 1)

Here's why I think that young people are becoming dolts at school: they don't hear about or witness anything that we see in ordinary life, just pirates standing on the shore in chains, tyrants composing edicts that order sons to cut off their fathers' heads, and oracular responses to plagues that mandate the sacrifice of three or more virgins.

Modern scholars have made regular attempts to account for the damning charges against declamation that pervade the ancient sources from the empire: the eccentricities,

it is argued, serve the practical and timeless function of keeping students interested, and the resulting speeches can in fact be shown to display a number of practical applications (e.g., Parks 1945; Bonner 1949: 71–83). Furthermore, the stock figures and unreal scenarios, we are told, allow the nascent orator to eschew unnecessary detail in order to concentrate fully on argumentation (Winterbottom 1982: 64–5). The multiplicity of viewpoints that the student is forced to adopt in the classroom, from that of slaves to prostitutes to stepmothers to famous Roman politicians, also has obvious benefits for the student training for a lifetime of legal advocacy (Bloomer 1997b: 135–42; see too his remarks in this volume).

All these attempts have helped reclaim for imperial declamation a more respectable pedagogical function. Yet even if one is to accept these apologies as legitimate, it nevertheless remains difficult to pick up a declamation and not be struck by its oddness. I would like to focus in the rest of my remarks, therefore, not on the pedagogical validity (or lack thereof) of this type of practice. Underneath such arguments lie so many variable assumptions that still fuel contemporary debates about education that it seems futile to try to answer these questions for Romans who lived two millennia ago. Questions such as: What are children being educated for? What subjects are most appropriate for attaining these goals? For which class(es) of persons and society should education be designed? Instead, I shall discuss recent scholarship that focuses on the ideological work that declamation does. The content of the declamatory material that has come down to us also suggests that the adverse reaction of ancient critics stems from declaimers moving away from the state-centered themes that we saw practiced in the late republic. My data derive both from those texts that seem to have been composed explicitly for school purposes (e.g., the *Declamationes* attributed to Quintilian) and those largely written by adults for public performance (e.g., the collections of the elder Seneca). Adult performance offers situations that frequently overlap with themes used in the schools, and since I focus on content and not, say, upon style or differing levels of sophistication, I shall be drawing my examples from the entire surviving corpus of declamation.

The normal rules of declamation demand that both sides of an issue be considered (e.g., Sen. *Controv.* 10.5.12; Quint. *Inst.* 5.13.50). As such, its students have been described as engaging in “an *endless* process of argument around the traditional tales,” a process that, like myth, acts in the continual creation and reaffirmation of social values (Beard 1993: 59, emphasis original). And yet, the presentation of both sides of an issue does not necessarily mean that the exercises always end in moral ambiguity. In fact, by offering situations that are abstracted from the realities of contemporary politics, declamation can all the more efficiently use classroom debate to locate where allegiances in Rome should lie, teaching students “that Roman divisions of gender, class and status naturally and absolutely divided society into a hierarchy of power at the apex of which stood the *vir bonus* [“good man”] the student would one day become” (Imber 2001: 211). In particular, the themes of these speeches confirm how Roman society works best through the establishment of hierarchies at all levels; not simply at the political level but also at the domestic (paternal authority), the social (rightful domination by the rich and subservience by slaves), and the emotional (the consequences of rape). Much interesting work has been done in analyzing the significance of these themes, and more opportunities are available. I offer here a selection of some of the scholarship on imperial declamation

that grapples with what students could possibly have been learning in addition to the obvious verbal pyrotechnics.

Let us begin with what the declaimers may be saying about their own situation as students and practitioners of oratory. It was once a commonplace for modern scholars to assume that declamation as a genre offered refuge for disempowered members of the elite and their sons, a place where the speaker can employ imaginative rhetoric in order to forget the real loss of political power that accompanied the rise of the emperors. Kaster (1998) has recently set out to complicate this picture by focusing on a very popular topic among declaimers: the death of Cicero, the greatest orator of the republic (see the numerous excerpts preserved among Sen. *Controv.* 7.2, *Suas.* 6–7). Soon after his death at the hands of Octavian and Mark Antony, Kaster notes, Cicero becomes praised in declamation as one of Rome’s most treasured possessions. Yet these imperial orators do not, surprisingly, celebrate their predecessor for his oratorical gifts, or for his loyal service to Rome while alive. The man who was to become for subsequent ages a collection of texts marked by vivid language and pure Latinity was celebrated by declaimers not for eloquence, but for the manner of his death. Kaster suggests that by focusing on the period of Cicero’s death the declaimers have deliberately chosen a time when he has no political power but only his innate talent (*ingenium*). In other words, the focus of oratory has shifted, not only for the declaimers but also for their “Cicero,” “from the sphere of public action to the concerns of individual talent” (Kaster 1998: 257). This shift parallels the trajectory of declamatory themes that I have been tracing in this chapter, from a concern for historical and legal issues to a preoccupation with increasingly fictional situations that transpire in nameless towns among nameless actors. Kaster concludes by suggesting that perhaps the condemned Cicero, devoid of his once great political authority and now only an icon for oratorical skill, appealed so much to the declaimers because they saw in his final days a reflection of their own current circumstances.

Cruel tyrants and benevolent emperors

The suggestion that imperial declamation reveals the speakers’ anxieties about contemporary politics can be further supported, but in surprising ways, by the topic of the cruel autocrat. The theme of the unjust tyrant – either as agent of cruelty, greed, and lust, or as victim of a heroic tyrannicide – is a favorite of imperial speakers, with over thirty specimens extant in the Latin corpus alone. The opportunity to speak out against the injustices of autocracy would, one might expect, offer a suitable outlet for our disenfranchised orators. A detailed study of these texts, however, concludes that this opportunity for subversion was almost never taken (Tabacco 1985); indeed, the nearly universal tolerance that emperors showed toward imperial schools of rhetoric alone provides a strong indication that these set speeches were disengaged from political concerns, with ancient historians noting only two cases in which declaiming on tyranny had political consequences for the speaker (Cass. Dio 59.20.6, under Caligula; 67.12.5, under Domitian; Tabacco 1985: 66–73). Tabacco’s analysis yields an intriguing explanation for this counterintuitive set of circumstances: the exercises that treat the tyrant focus not on the political but on the ethical. Without exception, the constitution of the fictionalized societies that has been displaced in these declamations is that of an idealized republic, one to

which tyrannicide, driven always by service to the state and not personal vendetta, restores lost liberty. The declaimer's dichotomy between tyrannical despotism and free republic differs from the literary portrayals commonly found elsewhere in the Greek and Roman literary tradition. In these other works, the ideal opposed to the tyrant is consistently the figure of a benevolent king. By not following this tradition, that is, by not focusing speeches on the contrast between a kind autocrat and a crazed tyrant, Roman declaimers are able to avoid any explicit analogies with the contemporary political situation that might compromise their safety. And yet the effect of altering the tradition, Tabacco argues convincingly, is to conflate the principles of the ideal republic with those of the emperor, since both stand opposed to the moral and social chaos that the tyrant represents (Tabacco 1985: 66–73). A comparison of emperor with tyrant, therefore, is incompatible with the structure to which this set of speeches consistently adheres.

This portrayal of the emperor as preserver of republican values conveniently matches the well-documented claims of Augustus that his principate did not introduce any changes to the institutions that were fundamental to the free republic. As in their encomia of Cicero at the point of death, we see the declaimers once again rehearsing republican values in a world that has become a fiction. Rather than fostering dissent, therefore, the theme of the tyrant provides opportunities for declaimers, wittingly or no, to reassert their place in the imperial hierarchy. Driving out the fictional tyrant on a regular basis helps make real imperial authority continually more secure.

Powerful fathers

Another common theme heard in the schools centers on domestic rather than political authority. Here the subject is the distinctly Roman concept of *patria potestas*, the legal power that a father wields over his son's physical and economic well-being. One scholar has argued that these exercises allowed the young male student to act out or vent hostile urges toward the position of the father, a role that he will himself assume in the next generation (Sussman 1995). Yet this release of emotions also has a conservative effect: while constantly debating paternal authority, the surviving speeches refrain from contesting its centrality to Roman society. The assumption, rarely questioned, is that sons do indeed have an obligation to obey a father, provided that the father remains sane (cf. Sen. *Controv.* 2.1.20). As an alternative to questioning authority, the declamations explore its extremes, setting limits on the ways in which it can be wielded – can a father, for example, disinherit a son for failing to buy him a prostitute (Calp. *Decl.* 37) or for refusing to kill his mother when she is caught in adultery (Sen. *Controv.* 1.4). The resolution of conflicting loyalties is the issue upon which these controversies concentrate, not a reassessment of the power allowed to the father. Even more interesting are those cases in which speakers adopt the stance that the father is obliged to employ punitive measures against his son even when he wishes not to do so. Seneca's *Controversia* 9.4 describes a man speaking in defense of a son who beat him, unwillingly, under the orders of a tyrant. In a recent book on paternal authority in declamation, Gunderson has analyzed the excerpts that Seneca preserves in this case for both accusation and defense and demonstrates that both sides adopt a stance (even when other options seem to be available) that assumes the inviolability of the father's

person. The son's defenders assert that his guilt resides in obeying his father's command to strike him; his accusers assert the impropriety of his beating his father under any circumstances: "either we use a specific father's command to justify an act injurious to that father or we appeal to paternity in the abstract, and we declare that no father is ever to be injured" (Gunderson 2003: 75). The choice, in other words, is between the father and the "father." In the many declamations of this type, the discussion of paternal authority constantly acts to recreate that authority.

Rapists

Just as the act of speaking about the extravagant excesses of paternal authority validates *patria potestas* as a self-evident and unassailable institution, in a similar way one can analyze the approximately twenty-five examples that treat male-female rape as utilizing an extreme social transgression in order to inculcate moral precepts in the young male student. In response to reactions against this *topos*, both ancient and modern, recent scholars have countered that its appeal to the fledgling male speaker lies in its very extravagance. The fictional rape cases are governed by strikingly phrased legislation – the victim may demand from her transgressor either the death penalty or marriage (Bonner 1949: 89–91) – and unlikely scenarios – the unsuspecting perpetrator is condemned to death by the twin of the woman he raped (Quint. *Decl. Min.* 270) or a man rapes two girls in one night, one of whom demands death, the other marriage (Sen. *Controv.* 1.5). Kaster (2001) has shown that the elements of the theme that one might expect to appeal to these young students are, rather than being highlighted, in fact silenced. Working from the hypothesis that "it was one of the main effects of declamation to inculcate, by sheer repetition, approved values in the still impressionable minds of the next generation of the elite" (Kaster 2001: 325), he points out that none of these extant treatments of rape describe the act itself, nor do they tend to explore the motivations or personal responsibility of the rapist; rather, speakers consistently emphasize the "social mess" that the act creates. Rape calls into question the physical and moral integrity of the family and, in allowing the raped woman to decide the fate of the rapist, these exercises dramatically invert the normal power relations between men and women (Kaster 2001: 326–8). In speaking these themes, therefore, the young men perceive how, even in the most disruptive of circumstances, "the calm surface of social relations . . . could be restored by reasoned arguments," while at the same time they learn graphically the consequences that will ensue when a young man fails to rein in his passions (Kaster 2001: 334). According to Kaster, therefore, rather than appealing to (or perhaps by appealing to) the prurient instincts of adolescent boys, the theme of rape teaches that those instincts must be kept under control. Sympathy lies not with the violated girl, but with the ways in which social equilibrium can be restored.

Slaves and free

Other themes that treat aspects of the *familia* also betray no sign of questioning normally accepted Roman attitudes. For despite the humanitarian objections to slavery expressed in philosophical treatises – especially in the type of Stoicism outlined by the younger Seneca – such theorizations leave little trace in the extant corpus of

declamation. At most, the theme of the vicissitude of Fortune is glanced at, but in a context in which slavery is viewed as an unfortunate circumstance for the slave, not one in which the institution as a whole is condemned. (See, e.g., Sen. *Controv.* 7.6.18: *neminem natura liberum esse, neminem servum; haec postea nomina singulis inposuisse Fortunam*, “no one is naturally free or slave; Fortune applied these names to individuals after the fact”; Quint. *Decl. Min.* 388.22: *sortimur genus, non eligimus*, “we receive our situation by lot, not by choice.”) This silence is hardly shocking, but it does serve to remind us that most of the students performing these declamations would have belonged to the slave-owning members of society and would likely have received their past and perhaps even present training from slaves and freedmen. So it comes as no surprise that of the seven declamations that involve torture of slaves none suggests that this is an improper way to treat a human being (Tabacco 1985: 101–2). In the one apparent case in which declaimers seem to question the ethical merits of torturing, the context makes it clear that the real offense resides not in the act of torture itself, but in the fact that the torture may have been administered to a free man.

Seneca’s collection contains a declamation in which the Attic painter Parrhasius tortures an old man whom he has purchased from Philip of Macedonia. In this case the man undergoes physical torment not as a punishment, but to provide for Parrhasius a realistic model for his painting of the punishment of Prometheus (*Controv.* 10.5). Morales (1996) has highlighted the interesting ways in which this text allows the declaimer to explore the boundaries of ethical responsibility among Romans, both artists and spectators. But it is important for the current discussion to stress two details of the declamatory scenario. First, the opportunity to speak out against the mistreatment is placed in an explicitly non-Roman context, one in which the speakers’ arguments would have less applicability to their own society; even in this foreign setting, however, those who condemn Parrhasius’ action frequently allude to the fact that the old man should not be considered a slave since he was a citizen of Olynthus, whose inhabitants had been kindly treated by Athens after its fall to Philip (*Controv.* 10.5.1–11). In attacking the artist’s actions, therefore, the speakers regard the torture as inflicted not upon a slave, but upon a fellow Greek. Secondly, when it comes time for Seneca to explain the principal lines of argument (*divisiones*) adopted by the declaimers, he complains because few stepped forward to defend Parrhasius (10.5.12). When they do, the declaimers’ critique of the artist depends upon the model being a free man; if he were a slave, Parrhasius’ actions would be justifiable (10.5.15–19).

Another example illustrates the extremes to which the speakers go in their desire to reinforce the social divide between slave and free. One declamation offers the following scenario:

tyrannus permisit servis dominis interemptis dominas suas rapere . . . cum omnes servi dominas suas vitiassent, servos eius virginem servavit. occiso tyranno . . . ille manu misit et filiam conlocavit. accusatur a filio dementiae. (Seneca, *Controversiae* 7.6)

A tyrant allowed slaves to murder their masters and rape their mistresses . . . When all the other slaves had violated their mistresses, one preserved the chastity of his master’s daughter. After the tyrant is killed . . . the master manumits this slave and engages his daughter to him in marriage. He is accused of madness by his son.

The declaimers, while almost unanimously supporting the son's claims, refrain from commenting on the father's possible madness (a dangerous move against paternal authority, even if the accusation may appear justified). Instead they point out that the greatest justifiable reward for the slave should be an improvement within his status as a slave, not a move out of that status (Migliario 1989: 533–8; Gunderson 2003: 135–40). We find here the declaimers testing the outer limits of the boundary between slave and free. Even when a slave acts in a humanitarian manner and would seem to deserve, to most modern readers at least, a humanitarian reward in kind, the theme merely gives the young speakers the opportunity to justify – not only from utility but from propriety – the continued existence of slavery.

Rich man, poor man

Justification of the status quo also informs the popularity of the theme that Petronius' rhetor Agamemnon claims to have been declaiming for an entire day: *pauper et dives inimici errant* ("a poor man and a rich man were enemies," *Sat.* 48). Nearly forty Latin declamations begin from a situation in which two of the principal actors are characterized as *pauper* and *dives*, making this statistically the most popular subject in the extant corpus. Despite the persistence of the theme, and the fact that speakers often adopt the side of the poor man in making their remarks, it is surprising that the conflict between the two protagonists upon which each declamation is based is *not* traced by the litigants to each speaker's opposing economic status. The tendency resembles the trend observed above in declamations on noble slaves, which act to test and, ultimately, to reaffirm the importance of slaves having their predetermined place in the hierarchy. Similarly, the struggle between the rich and the poor man does not base itself on a Marxist-style analysis of economic inequality; rather, the result of each speech is to reaffirm the impermeability of the boundary between the haves and the have-nots.

We are fortunate to have more than excerpts to work with in assessing this theme. The thirteenth of the *Declamationes Maiores* attributed to Quintilian treats in elaborate detail the following situation:

pauper et dives in agro vicini erant iunctis hortulis. habebat dives in horto flores, pauper apes. questus est dives flores suos decerpi ab apibus pauperis. denuntiavit, ut transferret. illo non transferente flores suos veneno sparsit. apes pauperis omnes perierunt. reus est dives damni iniuria dati. (Quintilian, *Declamationes Maiores* 13 *praef.* 1–6)

A rich man and a poor man had adjoining gardens in the country. The rich man had flowers in his garden, the poor man bees. The rich man complained that the poor man's bees were feeding from his flowers and warned him to move them. When the poor man did not do so he sprinkled his flowers with poison. All the poor man's bees died. The rich man is charged with unjust behavior.

This case, while hardly unimaginative, nevertheless provides advantages for trying to gain insight into the significance for the Romans of the category of rich and poor: the two men are neighbors; the conflict involves the two men directly and is not mediated, as often, through some incident involving their children; the poor man is

the speaker; finally, at the root of the conflict lies the poor man's sole means of livelihood – his murdered bees – a situation that one would intuitively expect to give rise to complaints about economic inequality.

Tabacco has devoted a series of articles to analyzing how the author has shaped the literary antecedents for this declamation in order to present the poor man as ultimately happy and content with his lot in life (Tabacco 1977–8, 1978, 1979). The poor man's account of his existence before the death of his bees contains clear allusions to the idyllic situation of Vergil's Corycian farmer (Quint. *Decl. Mai.* 13.3; cf. Verg. *G.* 4.125–9), and includes references to those who wish to exploit the land for personal gain, thereby encroaching upon this life of happy self-sufficiency (e.g., Quint. *Decl. Mai.* 13.2; cf. Hor. *Carm.* 2.18) and eliminating entirely any space for the smallholding farmer (e.g., Quint. *Decl. Mai.* 13.11; cf. Sen. *Ep.* 89.20). The poor speaker, however, deviates from this same tradition by not continuing with a common ancillary motif: wealth has affected the life of the rich by investing them with the unbridled passions that are traditionally the corollary to reckless wealth – greed, envy, cruelty. Instead, in this declamation it is not wealth itself that is shown to lie at the base of the rich man's actions, but its unfair use. As a result, the poor man appeals for fair treatment on the basis of how a lack of wealth has affected his own designated place in society. It is here that the dominant metaphor of his appeal takes on its full significance. Like Vergil in his *Georgics*, the farmer compares human society to that of the bees, with each class having its own role that, in combination, assists the betterment of society. *Concordia*, and not equality among individuals, is the appropriate aim of both the animal and human group. The rich man has, metaphorically, shown his disdain for that aim by literally destroying a flourishing social order. And how does this translate into the role of the poor farmer? He identifies, naturally (one might say), with the laboring bees: *parcae, fideles, laboriosae. o animal simile pauperibus!* (“thrifty, loyal, hard-working – an animal that resembles the poor man!”, Quint. *Decl. Mai.* 13.3). The resemblance also extends to the contentment that they feel with their hardworking life.

I have been trying to demonstrate how scholarly analyses reveal the ways in which the most common themes of imperial declamation act not to further any abstract notions of justice or equality but rather to strengthen important aspects of the already prevailing social order. One may object that the courtroom is of course a place where the speaker's principal goal is to win his case, and as such it would not be to an advocate's benefit to point up the inherent injustices of the social order, much less attempt to instigate moral reform. Nevertheless, the cases that we have been examining are *not* real cases; indeed they commonly receive criticism for precisely this characteristic. Instead, these themes are ones that students learn to debate repeatedly in the classroom until the premises – for example, that there are and always will be a divide between rich and poor, or between slave and free – become unquestioned and unquestionable assumptions. Justice becomes characterized as fair treatment under the law; whether the law is just is another question altogether.

Conclusion

This short sketch of rhetorical education offers one explanation for the change in emphases that we find in our literary sources as the form of government changes from

a republic run by a competitive elite into an empire where members of the elite soon witnessed the disappearance of oratorical eloquence as a means for advancement. During the republic, rhetorical education was de facto restricted to those with the means to access it in the face of linguistic and financial barriers. Those few who were able to progress to this advanced level participated in training that entailed replication of the already existing elite, inasmuch as the rhetorical education included rehearsing key moments in Roman history and witnessing the orations and deliberations of respected orators and magistrates. With the empire, replication remains a dominant feature of rhetorical education but, with the political power of the elite diminished, the newly coined exercises of “declamation” turn to exploring the social realm and testing its boundaries. Society functions best when the fledgling imperial speakers are taught to repeat to one another, from a multiplicity of perspectives, how hierarchies remain stable and impermeable. Father knows best; slaves have their masters. Not even a slave would contest that.

FURTHER READING

Most primary sources on rhetorical education are available in the Loeb Classical Library series, with Latin text and facing English translation, including *Rhetorica ad Herennium*, the complete works of Cicero, and Quintilian’s *Institutio Oratoria*. Kaster (1995) offers text, translation, and commentary for Suetonius’ treatise on teachers of grammar and rhetoric. With the exception of the elder Seneca (available in a Loeb edition), specimens of imperial declamation are less readily accessible: for Calpurnius Flaccus, see Sussman (1994a); for the *Declamationes Minores* (*Minor Declamations*) ascribed to Quintilian, see Winterbottom (1984) although there is no English translation; for an English version of the *Declamationes Maiores* (*Major Declamations*), see Sussman (1987). Morgan (1998) includes a consideration of the evidence found in extant papyri, where rhetorical education rarely reached beyond the stage of offering basic paraphrases of literary texts, thereby offering a reminder that the importance of rhetoric in our literary texts “is out of all proportion to the relatively small number of literates (and the minute proportion of the population) who studied it” (Morgan 1998: 190).

Of secondary works, Bonner (1977) remains the standard survey of Roman education in the republic and early empire, and is especially good on the mechanics and physical setting, less so on the sociology of ancient pedagogy; for this, a series of works by David (esp. 1979, 1980, 1983, 1992), all in French, analyzes perceptively the ways in which rhetorical education in the republic tends to be restricted to the already established elite; see also the essays in Too (2001). Clarke (1996³) provides a clear survey of rhetoric throughout the Roman period which includes many details on the rhetorical stage of education. Bonner (1949) is a general account of declamation, while Beard (1993) and Gunderson (2003) suggest how its often odd content responds to needs and tensions within imperial Roman society.

CHAPTER SEVEN

Virile Tongues: Rhetoric and Masculinity

Joy Connolly

In Rome, as in most western cultures, manly men are better known for war-making than wordplay. Near the end of Vergil's *Aeneid*, in a council scene rich with material for the student of Roman rhetoric and gender, the Latin leader Turnus is taunted by his rival Drances, a man *largus opum et lingua melior, sed frigida bello / dextera, consiliis habitus non futilis auctor, / seditione potens* ("rich in resources and very good with his tongue, but with a cold right hand in war; in counsel-taking considered no useless leader, strong in quarrel," *Aen.* 11.338–40). Turnus retorts that Drances should keep silent until he has joined the fight, asking: *an tibi Mavors / ventosa in lingua pedibusque fugacibus istis semper erit?* ("or is your martial spirit to be found always in that wind-fickle tongue and those flying feet of yours?", *Aen.* 11.389–91). Tricked by Juno in book 10, Turnus had abandoned the battlefield; here, with his belligerent equation of Drances' oratorical powers with unmanly cowardice, Turnus redeems himself as a man of action, paving the way for his emergence as a lion-like hero before his final combat with Aeneas (himself, we remember, no great speaker). The eloquent Drances, by contrast, uniting verbal artfulness with riches and soft habits, is the embodiment of cultural corruption in the Roman moralist tradition (e.g., Sen. *Controv.* 1 *praef.* 8). His political skills, described with the litotes *non futilis auctor*, are coupled with disloyalty (*seditione potens*); his flapping tongue and scurrying legs signify a capricious physicality that recalls the rushed, talkative, gesticulating, plotting slaves of Roman comedy (e.g., Plaut. *Mil.* 200–17; Graf 1991). In a subtle touch Vergil describes Drances as a man goaded by *invidia* ("resentful envy," *Aen.* 11.337) of Turnus' glory – *invidia* being one of the emotions Roman orators sought most eagerly to arouse in their efforts to turn juries against their opponents (Quint. *Inst.* 4.2.75, 4.2.128, 4.3.6; Cic. *Inn. Rhet.* 1.22, *De Or.* 2.189, 203).

Practically speaking, rhetoric and oratory in Rome were wholly male endeavors in that the art of persuasive speech was taught, studied, and practiced in public space,

which is to say in male space, by men, for men, to men, according to men's interests: it formed the core of Roman education and was the primary instrument of the law court, Forum, and senate. Quintilian writes in the introduction to his *Institutio Oratoria*: *oratorem autem instituimus illum perfectum, qui esse nisi vir bonus non potest* ("we seek to create the perfect orator, *who cannot exist unless he is a good man*," 1 *praef.* 9). By defining speech itself as the exclusive domain of men, rhetoric at once sweepingly symbolizes, supports, and enacts men's dominance. More specifically, as the central focus of Roman education, rhetoric reinforces conventional beliefs about gender as it seeks to inculcate in students ideal masculine values and practices. The confidence to give a speech, the properly expressive but dignified posture to adopt when speaking, and the aggressive dominance of adversaries in the law court are all described as masculine properties, and from evidence outside rhetorical texts it is clear that Roman ideas about masculinity (which stress, for instance, propriety and gracefulness) are shaped in part by the defining experience of rhetorical education in youth and performances through adulthood (Keith 1999; Krostenko 2001: 233–90). As Richlin points out, a complete study of rhetoric's identity as a male and masculine social system would have to address the Forum as a gendered space, the socialization of Roman youths, the subject matter of the declamatory exercises they practiced, the links between gender and ethnic prejudice in rhetorical criticism, and the construction of women as a group excluded from the world of rhetoric (Richlin 1997: 91).

At the same time a cluster of interconnecting tensions marks the complex relations of rhetoric and masculinity in Rome, and it is these that underpin the angry exchange of Turnus and Drances: between eloquence and virtue, word and action, style and substance, artifice and integrity, politics and war. Considering these oppositions in their context in Roman culture from the second century BCE to late antiquity, the problem that gender poses is obvious: namely, it is impossible to map "masculinity" cleanly onto one half of the grid. If, as many textual and visual *exempla* of Roman culture suggest, virtue, action, substance, integrity, and war constitute the ideal values of Roman manliness in its most archaic form – the purest expression of Rome's collective cultural fantasy – words, style, eloquence, artifice, and politics are no less essential in the world in which Roman men live. Yet Roman ideology burdens the second list with heavily negative associations of unmanliness and vice – a habit that culminates, in the post-Roman tradition, in tendentious observations like Thomas Howell's remark in 1581 that "Women are Wordes, Men are Deedes," and Michel de Montaigne's meditations on the contrast between feminine *caquet* ("chatter") and manly action (Parker 1989: 452). Rhetoric and its object, eloquence, are constituted in and made possible by things that the Romans (and other cultures, ancient and modern) defined as not-manly: the artful manipulation of words, the willingness to deceive, the equation of power with persuasion rather than action, verbal ornament, theatricality, emotional demonstrativeness. The failure of ideal masculinity to square with the demands of eloquence makes rhetoric's legitimacy a fundamental issue for Roman rhetoricians – its legitimacy as a social practice, a pedagogy, a professional discipline, and a theory of language. Understanding this is a necessary first step to grasping the many-sided role masculinity plays in rhetorical texts.

Regarding the issue of legitimacy, Vergil's *Aeneid* prompts one more fruitful line of thought. What is the eloquent Drances' parentage? His mother is noble; his father, unknown (*incertum de patre*, 11.340–1), a fact that places him outside the normative net of family and social legitimacy. Like Drances, rhetoric at Rome has a doubtful genealogy. Cicero simultaneously asserts and denies the foundational role of the Greeks who, like bad styles of oratory, are represented as lacking in moral and political restraint (Cic. *Tusc.* 4.70, *Q. Fr.* 1.1.16, *Flac.* 16), excessively erudite (*De Or.* 2.18), and pedantic (*De Or.* 2.75). Cicero cites the Greeks' founding role in inventing the art of speech and conveying it to Rome, but he also uses Greece as a way symbolically to exile bad oratory from Rome, in his claim that the Romans, rescuing Greek oratory from its decline into vice, have made (virtuous) rhetoric their own rightful property (*De Or.* 3.130; cf. *Tusc.* 2.5). Driving Cicero's resourceful handling of the ethnic origins of rhetoric lies the remark of the elder Cato, outspoken if not transparent critic of Greek influence on Roman culture (Gruen 1992: 52–83), that the orator should simply *rem tene, verba sequentur* ("seize the point, and the words will come," Iulius Victor 17; Halm 1863: 374). Cato's maxim is, and was perhaps designed to be, an uncomfortable reminder of the liminal place that artful speech occupies in Roman culture and its carefully tended "straight-talking," manly image.

In its moralist tradition, historiography, and sculpture, and in other ways, such as the preservation of agriculture as a theme for high art and literature, Roman society carefully memorialized, and in the process made constantly problematic, the consequences of transition from agrarian, small-town culture to grand imperial cosmopolis. Gender is a key player in this ongoing communal self-critique. Might the men who built a Mediterranean empire transform into half-men, emasculated by the loot they carried home from Carthage, Greece, and Asia? Roman writers make up a chorus of anxieties about the cultural decay ushered in by empire (Sall. *Cat.* 10; Vell. Pat. 1.16; Petron. *Sat.* 88; Plin. *HN* 14.1). The elder Seneca complains in the introduction to his collection of rhetorical exercises called *controversia* that Rome has sunk into a daily worsening state of decline where *cantandi saltandique obscena studia effeminatos tenent* ("shameful enthusiasms for singing and dancing seize hold of the effeminate youth," *Controv.* 1 *praef.* 8). The Roman love of competition, once properly exercised on the battlefield and law court, has moved into women's bedrooms, as young men compete with women (*certare cum feminis*) in the arts of femininity: hair-braiding, cosmetics, training the voice in the rhythmic, sing-song effects suitable only for women (*ad muliebres blanditias*), and making the body soft and pliable (*mollitia corporis*).

Cicero identifies rhetoric as the art that engineered the transformation of humans from a savage to a civil state: it is literally what makes culture (*cultus*) possible (*Inv. Rhet.* 1.4). In the ancient societies of Greece and Italy, however, cultural achievement is the object as much of anxiety as it is of desire, from the endless labor endured by Hesiod's farmer to the tragedy that results from the Argo's shattering of the natural boundaries of the seas in Horace's *Epode* 16 and Seneca's *Medea*. In Rome, rhetoric is a target for those fears: it crystallizes worry that imperial expansion would lead to the replacement of the *mos maiorum* ("ancestral custom") of a smaller, agrarian, military-oriented age with the refined and potentially unmanly arts of high urban civilization. Aulus Gellius captures this anxiety in his description of Hortensius, the most famous orator of the generation just preceding Cicero's:

quod multa munditia et circumspecte compositeque indutus et amictus esset manusque eius inter agendum forent argutae admodum et gestuosae, maledictis compellationibusque probris iactatus est, multaue in eum, quasi in histrionem, in ipsis causis atque iudiciis dicta sunt. sed cum L. Torquatus, subagresti homo ingenio et infestivo . . . non iam histrionem eum esse diceret, sed gesticulariam Dionysiamque eum notissimae saltatriculae nomine appellaret, tum voce molli atque demissa Hortensius “Dionysia,” inquit “Dionysia malo equidem esse quam quod tu, Torquate, amousos, anaphroditos, aprosdionysos.” (Gellius, *Noctes Atticae* 1.5.2–3)

Because he dressed very elegantly, draped his toga with care and precision, and when pleading cases used quite distinctive gesticulations, he was harassed by many rude remarks and rebukes, and in the court itself, before the jury, many things were said against him, as though he were an actor. But when Lucius Torquatus, an ill-mannered and aggressive person . . . said Hortensius was not just an actor, but a pantomime and a Dionysia, the name of a notorious dancer, then in a soft and mild voice Hortensius responded, “Dionysia, yes, I would much prefer to be a Dionysia than like you, Torquatus, with no Muses, no Aphrodite, no Dionysus.”

Rhetorical education was designed to instill in Roman boys habits that would make their masculinity literally visible to the world: along with constructing logical arguments, handling narration and interrogation, and creative ways to use words, they learned to stand up straight, look others straight in the eye, gesticulate with grace and authority, and speak with easy confidence. As Gellius’ anecdote shows, the challenge for them lay in tracking the slender, shifting line separating masculine urbanity from feminine softness, old-fashioned bluntness from crude vulgarity.

The canonical goals of persuasion are three: *docere movere delectare* (“to teach, to move, and to please,” Cic. *Brut.* 185; cf. *De Or.* 2.128). Too much pedantry, pathos, or pleasure, however, and the orator risked crossing over to unmanly territory, the social space inhabited by actors, teachers, dancers, prostitutes, and others who used their arts for gain. As Quintilian notes, vice and virtue enjoy remarkably close relations (*Inst.* 8.3.7). The cosmetics necessary to the skillful orator – the graceful movements of his body and the ornamentation of his words – easily cake into the heavy makeup of the eunuch slave (5.12.17–20).

Rhetoric is at heart a discourse of codification and evaluation. With its burden of longstanding associations and prejudices, the binary opposition of gender makes ideal shorthand for virtue and vice. Just as men’s bodies are represented as being “naturally” better disciplined than women’s bodies, just as men are better equipped to reason and to dispense justice, so their speech tends to obey laws of moderation – and if it fails to do so, the rhetorical treatise is available to redress that failing (Parker 1989: 113–19). Social and economic order rests on the maintenance of law, and rhetorical manuals and treatises, with their emphasis on proper speech, posture, and gesture, literally make those laws physical, by advising their readers how the good man – whether noble, king, monk, or merchant – behaves. Consider this influential passage of Cicero on the ideal orator’s physical appearance:

idemque motu sic utetur, nihil ut supersit. in gestu status erectus et celsus; rarus incessus nec ita longus; excursio moderata eaque rara; nulla mollitia cervicum, nullae argutiae digitorum, non ad numerum articulus cadens; trunco magis toto se ipse moderans et

virili laterum flexione, brachii projectione in contentionibus, contractione in remissis.
(Cicero, *Orator* 59)

By the same token he will use motions that are not excessive. In his movements he will stand straight and tall; he will rarely stride around, and then in small compass; he will dash forward only a little, and rarely; there will be no soft curving of the neck, no flicking of the fingers, no counting the rhythm on the knuckles; he will govern himself in his whole frame, and in the manly stance of his torso, stretching out the arm in aggressive argumentation, and pulling it in at lighter moments.

This advice escaped the bounds of the rhetorical manual, and it persists in remarkably unchanged form through late antiquity into the early modern period. In a letter to a friend and fellow seeker of the well-lived life, the younger Seneca advises his addressee that in order to understand why vicious styles of oratory become popular at certain periods of time, he must look to men's character, since "men speak as they live" (*talis hominibus fuit oratio qualis vita*, *Ep.* 114.1). Seneca selects Maecenas, close friend and supporter of the emperor Augustus, as his *exemplar* of vice, citing Maecenas' swaying walk, loose clothing, and unconventional household – a notorious image still remembered fifty years after his death. By intentionally parading his vices in public, Maecenas parodically inverts one of rhetoric's primary educational goals, the techniques of concealing moral and physical flaws: *quam cupierit videri, quam vitia sua latere noluerit* ("how he desired to be seen, how he was unwilling to hide his vices," 114.4). Some of these points are echoed, ironically, in Quintilian's assessment of Seneca, demonstrating the speedy evolution of style and criticism in imperial Roman rhetoric, and the flexibility of gendered language as a weapon of invective, which could easily be turned against its wielder: *corruptum et omnibus vitiis fractum dicendi genus* ("a style corrupt and weakened by every vice," *Inst.* 10.1.125; cf. 10.1.129).

Seneca's critical terms *infracta* ("broken, faltering"), *inverecunde* ("immodest"), *soluta* ("loose"), and *discinctus* ("loosely belted"), catchwords in the rhetorical writings of Cicero and Quintilian, are embedded in the gendered language of Roman moralism, which itself rests on a tangle of folkloristic, medical, and philosophical beliefs. The female body was assumed to be weaker, damper, and more permeable than the male; just as they are more vulnerable to illness, the heaviness of their bodies makes women succumb more easily to mental disturbance (Hanson 1990: 317, 323). Most important for rhetoric and the emphasis that rhetorical education laid on training the body was the presumption that properly self-governed character manifested itself in physical characteristics normally belonging to men: in particular, a robust body and a deep voice (Gleason 1995: 91). Even virtuous women are barred from rhetorical virtue.

We are dealing here, it is important to remember, with symptoms of cultural fantasy, not reflections of reality. There is a near-total absence of women from the Roman rhetorical record. Quintilian stresses the necessity of ensuring that those caring for very young boys, including mothers and nurses, speak pure and grammatical Latin (*Inst.* 1.1.6–8). In his biographical history of Roman oratory, Cicero mentions the letters of Cornelia, whose pure speech exerted a profound influence over her sons, the politicians Gaius and Tiberius; he adds that Scipio Aemilianus' close

friend Laelius produced several generations of female descendants who shared his well-known “elegance” of expression (*Brut.* 211; repeated by Quint. *Inst.* 1.1.6). Valerius Maximus counts three Roman women who pleaded cases before magistrates (8.3; again, cf. Quint. *Inst.* 1.1.6) but elsewhere asks the rhetorical question *quid feminae cum contione?* (“what do women have to do with public meetings?”, Val. Max. 3.8.6). Justinian explains the prohibition on women’s pleading cases by appealing to natural divisions of labor that confine women to domestic life (*Digest* 3.1.1.5; Richlin 1997: 93).

Passages like these demonstrate that in Roman rhetoric the crux is not the avoidance of empirically observable habits of women *per se*: on the contrary, the tradition of aristocratic women’s speech features models of pure Latinity. Moreover, the critical category of femininity is a flexible one, perfectly capable of embracing groups whose members are biologically male. In Cicero, Dionysius of Halicarnassus, the elder Seneca, and Quintilian, references to femininity or effeminacy connote the non-Roman (especially the “Asiatic” Greek), the enslaved, and the poor. By the same logic, references to the poor, the enslaved, and the non-Roman carry gendered overtones (Walters 1997: 30, 32). All these groups, legally, economically, and politically dominated by elite Roman men, are used as signs of the vices that the manly Roman orator must avoid. What is at stake is the inculcation and perpetuation of a particular set of attitudes and behaviors associated with masculinity and men. Like other aspects of identity, masculinity is established via differences that have become socially meaningful. Masculinity requires difference in order to exist, and it easily converts surface difference into essential otherness in order to secure its own “self-certainty” (W. Connolly 2002: 64). Whether in Roman culture the difference with which rhetorical texts are ultimately concerned is *gender* identity is the question I address at the end of this chapter. In the next section I survey three areas of special significance in the conflict between rhetoric and masculinity in the canonical writings of Cicero and Quintilian: rhetoric’s identity as an art, its role in training verbal and bodily propriety, and the resources it offers for verbal ornament.

Art and the Man

Rhetoric is the *ars dicendi*, the “art of speech,” and Roman writers tend either to define *ars* as the technical province of hired (Greek) teachers and craftsmen or to associate it with a type of cleverness that bleeds into the realm of manipulation and cunning. The orator Antonius, one of the two senior interlocutors in Cicero’s dialogue *De Oratore*, protests against accusations that he drew on art and technique in one of his most famous performances, the defense of Manius Aquilius (2.195–6). Eloquence is an art of pleasure (one of its three canonical aims), and the pleasures it furnishes arouse the senses, from the aural delights of a well-trained voice embellishing dry argument with images and figures, to the sight of graceful gestures and elegant attire, and the sensation of being pulled, as into a drama, by emotion artfully introduced and subtly brought to a climax. Like poetry, eloquence moves and penetrates the listener. As Cicero writes: *huius eloquentiae est tractare animos, huius omni modo permovere: haec modo perfringit, modo inrepat in sensus; inserit novas opiniones, evellit insitas* (“it is the property of this [grand style of]

eloquence, to pull minds, to push them in every possible way: sometimes it shatters the senses, at other times it creeps into them; it grafts on new opinions, it tears out innate ones,” *Orat.* 97). Yet the gender ideology of elite Roman masculinity valorized bodily inviolability and impenetrability (Walters 1997). Compare the first-century CE satirist Persius’ description of the shattering effect of a contemporary poet’s recitation:

tunc neque more probo videas nec voce serena
ingentis trepidare Titos, cum carmina lumbum
intran et tremulo scalpuntur ubi intima versu.

(Persius, *Saturae* 1.19–21)

Then, not according to approved good custom, nor in moderate tones,
you may see the huge sons of Titus shake, when the poems
penetrate their groins and itch their innermost parts with a trembling verse.

Describing the detailed techniques involved in training the memory and developing good delivery was a challenge for Roman rhetoricians because professional, paid performance itself was understood as an improper area for elite male participation (Edwards 1997a). Orators in the law court could not receive financial remuneration, according to the *lex Cincia* of 204 BCE: forensic speaking functioned instead as part of the exchange of favors that constituted the network of political *amicitia*, best translated in this context as “alliance” rather than “friendship.” Though certain actors (notably Cicero’s favorite, Roscius) were hailed as models for the aspiring orator, the rhetoricians are careful to emphasize the essential difference between actors, *imitatores veritatis* (“mimes of truth”), and orators, *actores veritatis* (“agents of truth”) who literally enact legal and political order (*De Or.* 3.102, 214; cf. Quint. *Inst.* 1.8.3, 1.11.3). Actors, musicians, and dancers held a low social status that could be equated with that of women, and prejudicially associated with femininity or effeminacy. In his discussion of delivery, the anonymous author of the *Rhetorica ad Herennium* observes that *acuta exclamatio vocem vulnerat: eadem laedit auditorem, habet enim quiddam inliberale et ad muliebrem potius vociferationem quam ad civilem dignitatem in dicendo adcommodatum* (“a high-pitched outburst damages the voice: and further, it irritates the hearer, for it has something of the vulgar about it, and in oratory, is more fit for womanish screeching than the dignity of a citizen,” 3.22). Cicero’s *De Oratore* seeks to defuse the challenge by staging scenes where the interlocutors acknowledge rhetoric’s emotional power and theatrical aspects, only to insist that the good orator’s sincerity and natural sense of propriety can transform latent vice into virtuous persuasion. So, with regard to his melodramatic defense of Aquilius, Antonius claims that his act was entirely authentic: *non arte . . . sed motu magno animi ac dolore* (“not by way of technique . . . but by way of a great passion of the mind and a feeling of indignation,” 2.195). The other major figure in the dialogue, Crassus, emphasizes Roman men’s natural moderation (especially as contrasted with Greeks) and compares stylized rhythms and verbal decorations to the beauties of natural phenomena like trees and stars (3.178–80). At every point the

artifice of the performance is concealed, and authenticity and naturalness are made synonymous with the manly performance. The rhetorical treatise reminds readers that those who transgress the rule become *exempla* of vice and the object of notoriety in popular culture. Sextus Titius, for example, a tribune of the early first century BCE, was supposed to have adopted such languid gestures that a dance was named after him – proof, as Cicero says, that *cavendum est ne quid in agendo dicendove facias, cuius imitatio rideatur* (“you must guard against acting or speaking in ways that may be ridiculed,” *Brut.* 225).

Beyond the purely physical resemblance between the dramatic gestures of the orator and the actor or dancer, however, lies a more profoundly destabilizing question about the nature of masculinity itself. The human capacity to mime the attributes and appearance of another has been a target of moral anxiety throughout the western tradition (Barish 1966). The cultural tendency to construct a moral hierarchy that privileges authenticity over acting is an important aspect of the western association between femininity and theatricality, pretense, and dissembling. Femininity has been identified, in an influential psychoanalytic essay by Riviere (1927), with “masquerade,” and mimesis itself has been characterized as the sign of the feminine in Plato and Greek drama (Zeitlin 2002: 129–31). Within this tradition, rhetorical discourse may be seen to undermine its own quest: in its effort to inculcate the essence of manliness, rhetoric ends up constantly at war with itself. The self-knowledge and self-mastery promised by a rhetorical education emerges as an internally contradictory, highly unstable fantasy (Gunderson 2000). When Cicero advises that the good, manly orator should “be what he wishes to seem” (*vero assequetur, ut talis videatur, qualem se videri velit*, *De Or.* 2.176), his acknowledgement of the proximity between the rhetorical and the dramatic arts implies that masculinity, along with its assimilated values, such as sincerity, authenticity, and knowledge of the truth, are *learned* techniques, unnatural and artificial – the very inversion of the values masculinity is imagined to represent (Connolly 1998: 136–7).

This is the reason feminists have come to view rhetoric as a fruitful area for analysis: because it lays bare the contingent constructedness of gender difference, revealing the gap between the masculine ideal (in this case, its virtue, authenticity, and naturalness) and the social practices by which the power of men is actually realized. The rhetoricians’ careful codification of what De Lauretis (1987) calls the “technologies of gender” (related to Foucault’s framing, in non-gender-specific terms, of the “practices of self-care”) show that it is precisely what cultures define as *natural* that tends to do the heaviest ideological work in sustaining *cultural* norms.

The Politics of Propriety

The link between masculinity and propriety runs deep in rhetorical writings. *Decere*, to be proper, is the *caput artis*, the essence of the art (*De Or.* 2.132). Gendering the proper performance as masculine in the manner of Cicero in *Orator* 59 (quoted above) is a standard move in Quintilian and post-Roman writings on rhetoric. Following both Roman writers, Thomas Wilson’s 1553 *Arte of Rhetorique* and Baldesar Castiglione’s 1528 *Il Libro del Cortegiano* (*Book of the Courtier*) teach men to mold their bodies into embodiments of civilized and civilizing power: strong

and supple, full of grace and force, back straight, head held high, hands and feet moving in serene rhythm (Rebhorn 1993).

But the proper management of the male body in the delivery of the speech is only half the story. The author of the *Ad Herennium*, Cicero, and Quintilian devote a much larger proportion of their writings to verbal propriety. They seek to enforce the order and orderliness of ideas and words with terms such as *dispositio*, the proper “arrangement” of arguments (the second element in the canonical parts of rhetoric, along with invention, style, memory, and delivery) or tropes like *hyperbaton/verbi transgressio*, change in customary word order. They are equally concerned with the orderliness of language in an extended sense, namely the restraint of excessive speech, embodied in the careful distinctions drawn between the proper and improper use of tropes and figures. As Quintilian comments, *in hac autem proprietatis specie, quae nominibus ipsis cuiusque rei utitur, nulla virtus est, at quod ei contrarium est, vitium. id apud nos improprium . . . quale est . . . de cruce verba ceciderunt* (“there is no virtue in the appearance of propriety, by which we call things by their own names, but there is vice in the opposite, and this we call impropriety . . . as in the phrase . . . ‘the words fell from the cross,’ ” *Inst.* 8.2.3). No less than those men who adopt a rhythmic delivery, fluting voice, and languid gestures, Quintilian characterizes the speeches of orators who experiment with the resources of verbal style as vicious and unmanly: *impropria, obscura, tumida, humilia, sordida, lasciva, effeminata* (“inappropriate, obscure, inflated, lowly, mean, without restraint, effeminate,” 2.5.10). Men seduced by ornament are like those who are attracted to shaved and hairless bodies, with artificially curled hair and heavy makeup (2.5.12).

Two points are worth considering here. First, in these prescriptions, the personal is the political. The elder Seneca’s censure of the effeminate young men of his age and the younger Seneca’s letter to Lucilius declaring that “as a man speaks, so he lives” (*Ep.* 114.1) express their belief that oratorical decline is linked to moral decline on a broad social scale. If the effeminate orator “communicates” moral disease that corrupts the whole state, the good orator is the speaking embodiment of the *res publica*, protected like an elected magistrate by his skill, a crucial element in its good government: *conquirimus . . . eum virum* (“we seek that man,” *Cic. De Or.* 1.202). The heavy emphasis in rhetorical treatises (and speeches) on the orator’s masculine nature and his obedience to the rules of masculine propriety is born from Roman political ideology, which equates masculinity and its virtues with the order of society itself. To perform according to expectation and custom is thus a matter not only of obeying the ethical and aesthetic code of masculine convention as an individual Roman, but of making visible the unity and health of the body politic.

We can compare the policing of women’s bodies and speech, which offers “proof” that social structures are secure and stable. In his early books on Rome’s archaic past, Livy consistently identifies the violation of Roman women (or its imminent threat) as the reason for regime change and social upheaval, from the birth of Romulus and Remus to Rhea Silvia after her rape by Mars, to the rape of the Sabines, to Lucretia, raped by the tyrannical prince Tarquin, to Verginia and Cloelia. By the same logic inverted, violence and chaos is again the outcome in Livy when abnormally powerful women like Tanaquil and Tullia, transgressing

conventional restraints, seize a role in early Roman politics. The elder Cato condemns women speaking in public, and indeed speaking about public affairs at home (Livy 34.2–3). Similarly, with the policing of men's bodies, the carriage and style of individual men (their *habitus*, to use the sociologist Bourdieu's term) and their proper use of words proclaim the health and vitality of the state. Like the boy whose youthful fire and luxuriant style must be tempered by moderation and experience, the Roman state too learns self-government through a painful adolescence (Cic. *Rep.* 2.30, *De Or.* 1.134–5).

The *ars rhetorica*, the property and tool of the dominant order, is devoted to sustaining it in all its guises: the aristocracy, the propertied classes, and men in general. Habits of language usage are centrally important in sustaining the belief system that underpins material structures of power – naming the rich and politically powerful *optimates*, or “the best men,” for example, or retaining two words for “man,” the elite *vir* and the common *homo*. This is the second consequence of the Roman rhetorical treatise's prescriptions on the body and everyday language usage: the discipline of rhetoric *naturalizes* those beliefs and structures. The reality of masculinity, its purchase as a concept, is created through repeated social enactments whose “stylized repetition,” to use Butler's phrase, places them beyond question, beyond criticism, beyond reason (Butler 1990: 140–1). The rhetorician's particular contribution is to construct a system that simultaneously divides and evaluates language, inventing or copying categories that distinguish “good” and “bad” types of verbal and bodily expression. Most important are the value-laden distinctions of propriety, between what is supposed to work and what does not, according to the audience's expectation and taste – itself a dynamic construct of custom, memory, and current fashion.

Cicero links propriety with protecting the social order from the taint of disruption. In the third book of *De Oratore*, which is devoted to proper style and delivery, the censor Crassus recalls his decision to shut down schools of Latin oratory because they taught students *nisi ut auderent* (“nothing but how to be rash,” 3.94). Whether or not Crassus is speaking the truth here (scholars have speculated on political reasons for the shutdown), his description of it as a policing action is an example of the identification Cicero makes between ordered style and political order: *sic enim statuo, perfecti oratoris moderatione et sapientia non solum ipsius dignitatem, sed et privatorum plurimorum, et universae rei publicae salutem maxime contineri* (“for this is what I believe: by the moderation and the wisdom of the perfect orator not only his *dignitas*, but the safety of the mass of private citizens, and indeed the entire republic, is embraced,” 1.34).

The presence of gendered terms in the style-disciplining language of rhetoric helps create a seamless identification between masculinity and civic virtue. When elites exploit the “natural” language of gender to describe and evaluate themselves, the visible and verbal signs of masculinity become both evidence and source of political stability and power. Because the unmanly orator threatens to disrupt that order by fracturing the identification of dominance and masculinity, he is censured, both in the text of the rhetorical treatise (e.g., *Brut.* 225; Quint. *Inst.* 8 *praef.* 19–20) and, these texts expect, the world outside the text (but see Quintilian, who acknowledges the appeal of unmanly speech, 5.12.17–20). At the same time, the notion of threatening the male status quo becomes itself (in rhetorical treatises) an

effeminized, and hence unnatural, idea. The manly orator signifies virtue, and virtuous men constitute a virtuous political community. Women – and the many men who do not meet the class-based standard of the *vir* – are entirely excluded from the system, in thought and practice.

Ornament

The political context of the disciplinary language in Roman rhetoric also illuminates the remarkable gendering of *elocutio*, style, specifically verbal ornament. Quintilian condemns ornament's emasculation of speech in no uncertain terms at the opening of his book on style: *illa translucida et versicolor quorundam elocutio res ipsas effeminat* ("a translucent and variegated style emasculates the subject matter," *Inst.* 8. *praef.* 20). Students contemplating this topic are advised to treat *eloquentia* like a vigorous male body (*toto corpore valet*) rather than simply polishing her nails and arranging her hair (*ungues polire et capillum reponere*, 8. *praef.* 22). The properly adorned oration must be, Quintilian self-consciously repeats (*repetam enim*), *virilis et fortis et sanctus sit nec effeminatam levitatem et fuco ementitatum colorem amet, sanguine et viribus niteat* ("manly, brave, and pure, a lover not of effeminate smoothness and color tinted with makeup, but glowing with blood and strength," 8.3.6–7; cf. *sine ullo fuco*, Cic. *Brut.* 162). The best kinds of Attic-style speeches, pared down and plain, resemble the woman who is most beautiful when unadorned (*mulieres pulcherrimae . . . inornatae*, *Orat.* 78).

Ornament presents a special problem in part because it recalls the artful speech of the actor or poet: its obviously superfluous presence draws attention to itself in a way uncomfortably close to those unmanly professions. Quintilian flatly admits that he is aware there are those who assert that "rough speech" (*horridum sermonem*) is more natural, and even more manly, than ornament (*modo magis naturalem, modo etiam magis virilem esse*, *Inst.* 9.4.3). Richlin cites his concern over "loosening the holiness of the Forum" by importing the rhythmic, heavily ornamental flourishes of the Lycians and Carians instead of the *pressi* ("succinct") and *integri* Attic style (11.3.58; Richlin 1997: 107). I have already discussed a few general associations between artfulness and unmanliness: now I would like to explore precisely what kind of threat ornament is imagined as posing to ideals of masculinity.

How is it defined? Ornament is, first of all, superfluous: it is what fills the space between what is necessary for bare communication and what is not. To Quintilian, ornament is literally expansive: similes open up the field of signification in words by shedding light on familiar things (8.3.72); he lists many methods of amplification (8.3.90, and briefly, its opposite, 8.3.82; cf. Parker 1987: 8–35). Ornament is also a force of embodiment: it lends "blood" to the dry bones of words (Cic. *De Or.* 1.56). Of the two major forms of ornament, tropes and figures, the trope is a mutation (*mutatio*) of a word or phrase from its nearest or proper meaning (*a propria significatione*) to another (Quint. *Inst.* 8.6.1) and figures have to do with the particular conformation of language the orator chooses for his speech (9.1.5). Hyperbaton, a change in word order, is a trope, but repetition, ellipse, and impersonation are figures. Despite their differences, both trope and figure rest on the capacity of the meanings and contexts of words to shift and change, whether they actually connote different

significations, as in the trope of metaphor, or allow the orator to speak in the voice of another (as in the figure of *prosopopoeia*).

In an influential early feminist study of medieval rhetoric, Ferrante (1975) suggested that women's biological capacity to bear children was the factor that enabled the ideological and intellectual connection between ornament and femininity. Just as women's bodies swell, dilate, and give birth, so ornament allows the expansion and dilation of language, literally and semiotically: ornament is an essentially feminine capacity and is properly described as such (Ferrante 1975: 37–64). We have already seen, however, just how distant is the rhetoric of gender from the lived material realities of Roman women and men. Rather than appeal to biology, it is possible to explain the gendering of ornament by recalling rhetoric's civic context.

Ornament enables language to float free from its original meaning or set of meanings. It performs what one scholar calls the “radical suspension of fixed ontic categories,” where every word is transformed into a carrier of multiple significations (Paxson 1998: 164). Ornament thus spotlights the paradox that the formal public speech that codifies, legislates, passes judgment, and makes policy is far from being as clear as the rhetorical codes that seek to describe it: like all speech, political speech is (necessarily) mutable, unreliable, expansive, and open to many different interpretations. If, as suggested above, rhetoric plays an important role in symbolizing the security and stability of the masculine social order, then the rhetoricians' ambivalence toward ornament becomes comprehensible. Ornament is defined by opposition to naked logic; it thus lives, in a sense, outside the law; it must also, then, exist outside the realm of virtue that Roman masculinity claims for itself.

Conclusion: The Rhetoric of Gender

We have seen that common terms of rhetorical criticism that connote the absence of masculinity like *non virilis* (“not manly”) and *effeminatus* (“effeminate”) are used in tandem with the language of sense perception (*mollis*, “soft”), ethnic prejudice (the florid theatricality of “Asiatic” orators), and social prejudice against actors and other groups in the construction of a code for inferiority that casts its ideological nets very broadly. In a certain sense, trying to tease a consistent discursive thread illuminating the relations of rhetoric and masculinity in isolation from questions of ethnicity and class is impossible. Before concluding, it is worth considering the consequences of taking Roman rhetoricians talking gender at their word, and asking whether privileging gender as the object of analysis in Roman culture orients us in a direction that goes against the grain of the elite class for which rhetorical texts were written.

The contrast with modern versions of the ancient rhetorical handbook, such as the etiquette manual and the composition textbook, is instructive. Beginning in the eighteenth century, when revolutionary movements sought radically to change the conditions of women, people of color, and colonized peoples, these publications took on two new functions. Some sought self-consciously to make the values and traditional forms of education of propertied white male culture available to other, hitherto excluded groups (Ruttenburg 1998; Gustafson 2000). Others sought to obstruct social change by underscoring the naturalness and inflexibility of traditional gender and class identities, under the guise of promoting “manners” and civility. But

no social revolution forms the backdrop of Roman rhetorical discourse: the motivations behind its marked use of gender cannot be explained as liberal or conservative reactions to change.

In her book *Bodies That Matter*, Butler (1993: x–xi) stresses the dangers of misinterpreting her earlier work on performativity: she fears that her use of the word is encouraging the simplistic view that gender is a surface performance, like a dress or a suit, covering up an essence beneath. There is no prediscursive “sex,” she insists, and her argument is relevant here. It is easy, when referring to the challenge of performing Roman masculinity, to adopt language implying that there is an essential masculinity available to “get right”: this is, after all, the assumption of the prescriptions I have surveyed in the *Rhetorica ad Herennium*, in Cicero, and in Quintilian. It is true that appearing virile is paramount. But the links between rhetoric and femininity are themselves constructions, not essences or universals: so we cannot fully explain the language of gender by appealing to them. We should ask, rather, why the Roman elite retained gender as an important category in critical discourse. Did rhetoric’s nature and associations make this retention “necessary” or “inevitable”? Was masculinity the ultimate object of concern? What, if anything, might lie beyond the rhetoric of gender in Roman rhetoric?

So far I have concentrated on the fracturing pressure that the artful, theatrical *ars rhetorica* places on ideals of masculinity. From the perspective of Roman rhetoricians, rhetoric is an art, but it is also a weapon of war. In Cicero’s *Brutus*, eloquence furnishes *arma* (“weapons”) that are the property of leading men and of the ethical and well-constituted republic (7). Elsewhere Cicero remarks that teaching evil men the arts of speaking is the same as handing them *arma* (*De Or.* 3.55; cf. 3.206); in a letter to Brutus, he compares his *Philippics* against Mark Antony to glorious deeds (1.3, 2.1). Just as wealthy youth attached themselves to male networks of their fathers’ friends and relatives in the informal *tirocinium militiae* (“military apprenticeship”) so they sought mentors in the *tirocinium eloquentiae* (“apprenticeship of eloquence”) or *fori* (“of the Forum”). Quintilian refers to ineffective speech as *gladio intro vaginam* (“a sword still in the sheath,” *Inst.* 8 *prae*f. 16). Cicero compares giving speeches to competing in wrestling and fighting on the battlefield (*De Or.* 1.81, 3.220, *Orat.* 229: note that the *palaestra* is sometimes dismissed as the site of mere play). References to oratory as *vis* (“force”) and to good orators as “muscular” and “tanned” are common (*Opt. Gen. Orat.* 8, *Orat.* 228, *Brut.* 93, *De Or.* 3.74–6; Quint. *Inst.* 1.11.18, 2.15.10–22). We are reminded, as one historian has put it, that perhaps to a greater extent than any other ancient culture, Rome was a “community of warriors” (Nicolet 1980: 89; cf. Campbell 2002). As these links between language and military power suggest, rhetoric transforms talk into expressions of power. The orator in practice (and as represented in rhetorical texts), like the statues adorning Rome, offered commanding *exempla* for youths to emulate. Men spoke to audiences of men with the aim of winning cases and dominating audiences, exercising power and gaining *auctoritas* at the expense of others.

What distinguishes the Roman speaker from his audience was not gender, which orator and audience shared, but class status. There was no official place in Roman politics for the poor non-elite. Magistrates and ex-magistrates, screened by high property requirements, and those they invited to speak, were the only men permitted to address the senate and the public assembly (*contio*). In the careful construction of

gendered language ongoing in rhetorical discourse, what is being shaped is not a “man” in the biological sense but a person of class with the proper authority, the legal capacity, and the social capital that combine to give him a public voice: the elite citizen-man. *Neminem esse in oratorum numero habendum, qui non sit omnibus eis artibus, quae sunt libero dignae, perpolitus* (“no one should be counted among the number of orators, who is not thoroughly polished in all those arts that are worthy of the free man,” Cic. *De Or.* 1.72). In his earliest surviving oration, Cicero addresses Naevius with brutal irony as *homo timidus virginali verecundia* (“you poor timid man of maidenly modesty,” *Quinct.* 39). His last speeches attack Antony in the same terms: *sumpsisti virilem, quam statim muliebrem togam reddidisti* (“you assumed the manly toga, which you quickly exchanged for a whore’s womanly gown,” *Phil.* 2.44).

Roman orators “talk gender” in public in speeches like these in order to dominate in the intra-elite rivalries that played out in the public eye, making Roman political culture into a “choice between champions” (Morstein-Marx 2004: 284). Bringing gender to the forefront of these contests confirms all elite men in their identity as virile men, a particularly important operation when their refined lifestyles set them decisively apart from the laboring masses. We have already seen that gender is a force for naturalization in rhetorical discourse; claiming masculinity endows claims to authority with the power of nature. Now I suggest that the rhetoric of gender helps recast the competitive nature of intra-elite relations as a contest for virtue, a perfect fit with senatorial aristocratic ideology and its claim to preserve the archaic *mos maiorum*. Framing contests between men as “manly men” masks the profoundly destabilizing political effects of elite power struggles, by replacing them with the more familiar, and globally speaking, less volatile, division between the sexes.

This overview of rhetoric and masculinity has sought to address three areas in this rich and recently much-studied field: rhetoric’s embedment in and enabling of the social and political interactions of men; the anxieties emerging from the inconsistencies between ideals of masculinity and the practices of eloquence; and finally, by way of speculation on possible avenues to be explored in future research, the social context of class domination in which the rhetoric of gender may ultimately have more to say about class than it does about masculinity and femininity or men and women.

FURTHER READING

On gender and rhetoric in Roman culture, Gleason (1995) is invaluable. In a pathbreaking study Richlin (1992²) surveys the gendered aspects of abuse and invective, including Cicero’s speeches; the concise study of “political immorality” by Edwards (1993) is especially helpful on Roman prejudices against Greek culture and the theater. Gunderson (2000) is a thoughtful, theoretically sophisticated study (psychoanalytic theory plays the most important role) of gender construction in Cicero, Quintilian, and Lucian; Gunderson (2003) on declamation concentrates on social logics of male interactions, especially same-sex erotic relations and paternity. Gruen (1992) on cultural identity illuminates the difficult question of the elder Cato’s views on rhetoric and other “importations” from Greece. The studies of rhetoric in English and Italian early modernity and the early American republic cited here make excellent starting points for comparing and contrasting Roman values and practices: Parker (1987, 1989,

1996) in particular is firmly grounded in knowledge of the Roman tradition and deserves careful study. Some of the arguments advanced in this chapter are drawn from Connolly (2007).

The bibliography on Roman gender is too extensive to treat justly here. Hallett and Skinner (1997) offers useful essays and further references. On feminist and queer theory, especially as relating to style and selfhood, Dollimore (1991), Foucault (1991), and De Lauretis (1987) are outstanding for their quality of analysis and readability. Butler (1990, 1993) is less accessible but still important for readers interested in social construction theory. Bourdieu (1990) and his other influential writings on sociology shed light on the intersection between ideology and social practice.

CHAPTER EIGHT

Oratory, Rhetoric, and Politics in the Republic

Michael C. Alexander

Oratory was the “most fully worked-out technology” of the ancient world (Crook 1995: 197). Rhetoric, the sometimes controversial art of persuasive speaking, and the pathway to oratory, was taught through formal instruction and written manuals, and also by example through observation of orators and published speeches that were transcribed and circulated. This chapter will seek to clarify the connections between oratory and politics, and also between rhetoric and politics. Although it will argue that the political importance of one form of oratory has been somewhat exaggerated, it recognizes that oratory constituted an essential tool of Roman politics, and that rhetoric was contested precisely because it was the skill that made this tool available.

Deeply imbedded in the Roman political tradition was the belief that a distinguished Roman man should be a capable speaker. Quintus Caecilius Metellus eulogized his father Lucius (consul in 251 and 247) in 221 BCE as having exhibited the ten attributes of a wise man; second only to a first-class fighter is the *optimus orator* (“the best speaker,” Plin. *HN* 7.140). The elder Cato joins moral qualities with eloquence in defining the orator: *orator est, Marce fili, vir bonus dicendi peritus* (“the orator, son Marcus, is a good man skilled in speaking,” Cato *Fil.* 80; Jordan 1860. See also Hölkeskamp 1995: 11–16). But lest we read too much into this, Astin (1978: 154) reminds us that he defines the farmer as a *vir bonus colendi peritus* (“a good man skilled in cultivation,” Cato *Fil.* 78; Jordan 1860). This theme is developed at length in Cicero’s treatise on oratory, the *De Oratore*, a dialogue finished in 55 BCE and set in 91 BCE. Here he has his two main interlocutors, Marcus Antonius (consul 99) and Lucius Licinius Crassus (consul 95 and censor in 92), present the orator as the consummate Roman statesman, who combines his vast experience with a solid but unenthusiastic acquaintance with technical Greek rhetoric and the basics of Greek philosophy. In this portrait of a Roman ideal, we see an expression of union between oratory and politics.

Yet at the same time, the elder Cato expressed a typical Roman attitude when he wrote, *rem tene, verba sequentur* (“stick to the subject, and the words will follow,” Cato *Fil.* 80; Jordan 1860; cf. Cic. *De Or.* 2.51). The view that Cato himself studied Greek rhetorical theory, and even wrote a book on rhetoric, is discounted by Astin (1978: 147–56, 333). Although Antonius too had written a book on rhetoric, he describes it as a product not of learning but of experience (Cic. *De Or.* 1.208), and Cicero dismisses his own youthful treatise on rhetoric, the *De Inventione*, as a work for whose publication he does not wish to take responsibility (*De Or.* 1.5). The *De Oratore* is dismissive of the technical treatments of rhetoric (1.137, 2.50, 2.175, 2.201) and rhetorical exercises (2.109), preferring practical experience (3.74). However, Cicero also refers in it to systematic rhetorical classifications and analyses. Overall, while Cicero’s interlocutors discuss traditional rhetoric – the study of how speeches should be constructed and delivered – as ancillary at best, they treat oratory – that is, the practice of giving speeches – as intrinsic to political leadership.

Oratory was traditionally divided into three *genera causarum* (“types of causes”): deliberative, epideictic, and judicial (Cic. *Inv. Rhet.* 1.7; *Rhet. Her.* 1.2; Quint. *Inst.* 3.4.11–16). Intuitively, one would assume that deliberative oratory was linked to politics, since it involved public debate on legislation and other public acts. Epideictic, the assigning of praise or blame, it would seem, might or might not be aimed at a political subject: an election speech would be obviously political, a funeral encomium less obviously so. Judicial oratory might seem to have the weakest link to the political context, since the ostensible object of a trial was to determine a verdict – whether the defendant had improperly injured the property of someone else, or upset public order. Yet for much of the twentieth century, scholars sought to uncover politics in judicial oratory and in the trials where it took place, and downplayed the political import of deliberative speeches. (Following the lead of ancient works on rhetoric, they paid less attention to epideictic oratory.) Only recently toward the end of the twentieth century have Roman historians started to adopt what would seem the more obvious approach, to stress the political importance of deliberative oratory and to downplay the politics in judicial oratory.

Occasions for Oratory

Rome’s basic political institutions made oratory essential. The meetings of the Roman senate involved debate on issues, limited by law to senators, and by tradition to the upper ranks of senators as opposed to the *pedarii* (“backbenchers”). The fundamental expression of the will of the Roman people occurred in its *comitia*, assemblies consisting of those adult male Roman citizens who chose to show up for them. The function of these was to allow the Roman people to reach a decision (either legislative, electoral, or judicial) but they did not include discussion. However, the *comitia* were preceded by *contiones* (“meetings”), in which speakers addressed political and legal issues relating to what would be voted on in the *comitia*. In the case of *comitia* convened as a court of law (an archaic institution by the first century BCE) three *contiones* were required to precede the comitial meeting at which the people reached its verdict (Cic. *Dom.* 45). Although *contiones* were held for the purpose of discussion rather than decision, there was nothing casual about them. They did not

provide a platform open to any citizen, or even to every adult male citizen; they were under the control of a magistrate (often a tribune of the people) who controlled the list of speakers. These speakers were generally current and former magistrates (Polo 1996: 34–8, 52–6; Gizewski 2003). Cicero (b. 106 BCE) himself did not speak before a *contio* until he delivered the *Pro Lege Manilia* as praetor in 66 (*Leg. Man.* 1), though he went on to deliver eleven more (counting those speeches known to us) as a magistrate and nine as a private citizen; Pompey delivered one as magistrate and nine as private citizen, Caesar seven and four, respectively (Polo 1996: 37). Nine of these are extant, all by Cicero.

The judicial format about which we know the most for the three decades after Sulla's dictatorship (81 BCE) was the *quaestio perpetua* ("standing criminal court"). Originating in 149 BCE and extended thereafter, this kind of court was established by a statute that defined a particular crime and created a panel of jurors to hear cases involving that crime. These crimes all involved the community in a direct or indirect way: directly in the sense of harming the government (either through direct misuse of governmental authority or funds, subversion of the electoral system, or the kind of violence that seriously compromised law and order); or indirectly by threatening social stability (e.g., fraud or poisoning) (Riggsby 1999: 157–9). The standard number of jurors was as large as seventy-five, although there were often fewer (Greenidge 1901: 447–8). Trials in this kind of court contained, at a minimum, a speech each by the prosecutor and the defense advocate, in some courts at least two speeches by each, and often far more because of a trend for both sides to employ multiple advocates (Cic. *De Or.* 2.313, *Brut.* 207; Asc. 20, Clark 1907). Although private lawsuits were usually held before one juror or a small panel of jurors, some cases involving inheritance and substantial property were heard before the centumviral court, which in the republic contained 105 jurors, three from each of the thirty-five tribes (Cic. *De Or.* 1.173, 1.238; see Greenidge 1901: 183–5; Paulus 2003). These trials, which could use the whole 105-man cadre of jurors, gave orators a chance to spread their wings, especially in the imperial period (Plin. *Ep.* 5.1.7, 6.33; Tac. *Dial.* 38) when the *quaestiones perpetuae*, though still in existence, had lost their high status. The most famous centumviral trial was the *causa Curiana* in the nineties BCE, in which the two sides were represented by leading orators, Lucius Licinius Crassus and Quintus Mucius Scaevola (for sources, see Alexander 1990: 48; see also Vaughn 1985).

The Political Role of *Contiones*

It might seem obvious that speeches delivered in *contiones* played a major role in Roman political history. But, in fact, modern historians have resisted this proposition because they believed that Roman voters cast their ballots on instructions from their superiors, and that political outcomes therefore depended on machinations at the top, rather than political sentiment at the bottom. Two revisionist viewpoints have coincided to cast doubt on this point of view. Brunt (1988c) undermined the notion that Roman citizens were generally locked into a pyramid of clientship, showing that clients were a rather small and uninfluential element in the Roman political scene. This finding undercut the idea that patrons at the top could control voting behavior

by directing their clients, who were in turn patrons of other clients, and thus could create a mass following by decree. And, in a series of articles and one book, Millar has argued that in fact *contiones*, and thus the speeches made in them, were vital to persuade the voters. Relying on Polybius' (6.14) statement that the Roman constitution contained a democratic element (as well as aristocratic and monarchic elements), Millar concludes that "the central element in the political life of the late Republic, and the sources from which rumor and the formation of public opinion started, was the appearance of the orator before the *populus* in the Forum" (Millar 1998: 224). In Millar's view, the individual members of an audience for deliberative oratory were capable of making up their own minds, or changing their minds, and thus the oratory could have made a difference (Millar 1984, 1986, 1989, 1995, 1998). Therefore, it is implausible that networks existed to control the voting of tens of thousands of Roman citizens assembled together (Paterson 1985: 27–8).

Millar's view has resulted in controversy and fruitful reexamination of the nature of republican government. Mouritsen (2001: 46) stresses the presiding magistrate's control over *contiones*, citing Cicero's description of a *contio* in which no opposing opinion was heard (*Pro Cluentio* 130, a passage in which Cicero is acting in his client's interest when he minimizes the extent to which the *contio* represented popular opinion). But Cassius Dio (39.35.1–2) claims that provision was typically made for the expression of opposing opinions (see Morstein-Marx 2004: 163–72, who emphasizes that the production of opponents could serve as a way to force them to drop their opposition). Morstein-Marx, while accepting the importance of *contiones*, argues that they constituted a means of elite control over the masses, more than the other way around: "the balance of power between the parties in that exchange was tilted heavily toward the senators who chose the agenda, timing, and even, to some extent, their 'crowd,' and who, finally, also did the speaking" (Morstein-Marx 2004: 283–4; cf. 11–12 for his critique of Mouritsen 2001). Perhaps a consensus will eventually emerge that speeches were effective tools for shaping public opinion, yet that public opinion was decisive, and could be shaped only within limits set by the people.

The Political Role of Trials

Historians in the twentieth century have scrutinized forensic speeches and the trials related to them for political content, in terms of the origin of the trial, the people involved, and their outcome. But the political aspect of trials, though sometimes important, has at times been misunderstood or exaggerated.

Politics certainly played a role in Roman trials, at least the ones from which a speech or other substantial evidence survives, in several ways. (1) Trials usually took place in standing criminal courts, which dealt with crimes that had a strong public interest component. (2) The trials often sprang from a political cause, since the prosecutor was a private citizen. Also, while public spirit might have sometimes been enough to motivate people to take on this substantial task, and while some legal rewards too were an inducement to prosecute under certain laws (Alexander 1985), the desire to harm a personal political enemy or inherited family foe must have often been an important motive. (3) If the prosecutor was not necessarily an enemy of the defendant before the trial, he almost certainly was such after the trial, and *patrocinium*

(“patronage”) was a benefit that created a reciprocal obligation of the defendant. (4) The trials often had other political effects, because the defendant was often, though not always, a senator, with a political career at stake. A verdict of guilty brought *infamia* (“disgrace”) for him, often exile, and almost certainly the end of his political career. (5) Finally, it can readily be conceded that advocates often made political appeals in order to advance their cause, whether for the prosecution or defense. Cicero, in 66 BCE, defended Cluentius against the charge of “judicial murder” – that is, the use of the courts to condemn an innocent man. (The charge was made on the grounds that in 74 BCE Cluentius, as prosecutor, had bribed a jury to condemn the defendant.) Cicero emphasizes that this charge only applies to senators. To gain the sympathy of the jurors (two-thirds of whom were not senators), he maintains that if they convict Cluentius under this provision, all non-senators will henceforth be held liable for prosecution for their verdicts as jurors, and also for their testimony as witnesses in the courts (*Clu.* 150–60). Similarly, Cicero culminates his defense of Murena, consul-elect for 62 BCE, with the argument that Rome cannot allow a consul-elect to be convicted when Lucius Sergius Catilina is threatening her with ruin (*Mur.* 78–87).

But it would be a mistake to think that Cicero and the other advocates made these appeals to advance their own political views, rather than to win their cases. For example, in order to help his client Caelius, who was accused of having consorted with Catiline in the past, Cicero makes the embarrassing, and not necessarily true, admission that he too had once almost been taken in by his later mortal enemy Catiline (*Cael.* 14). Cicero’s expansive redefinition of *optimates* (“the best citizens”) to include almost everyone was delivered to help his client, not to voice his own views (*Sest.* 132–8; Alexander 2002: 215). Advocates were by definition not speaking on their own behalf but on behalf of their clients (see Craig 2002a: 517–20 for a description of “persuasive process criticism,” which analyzes oratory in terms of the speaker moving an audience toward a persuasive goal within particular historical circumstances).

This approach should be favored over one that interprets trials as affording an opportunity for opposing political factions to marshal their forces to decide a fundamentally political, rather than judicial, issue. Particularly between the 1950s and 1980s, many articles and books appeared that analyzed trials in terms of the participants, and what these could reveal about the political alliances and feuds of the time in which the trials took place. Anyone connected with the prosecution was labeled a political enemy of the defendant, and anyone connected with the defense, his political ally. An overview of some Roman historiography will be helpful in understanding the origins and purposes of this “prosopographical” approach, and why it has fallen out of favor.

This approach was based in part on the sociological analysis of Gelzer, whose path-breaking *Roman Nobility* (1912) saw *fides* (“faith”), involving the obligations between *patronus* (“patron”) and *cliens* (“client”), as a vital element in the Roman republican political structure, specifically the domination of the nobility. According to this analysis, one type of such a *patronus/cliens* relationship occurred in the courts (Gelzer 1969: 86):

Political struggles were for the most part conducted in the courts. . . . These political trials were an everyday occurrence. *Patrocinium* in the courts was thus one of the prime expedients of the Roman politician; it opened up a path for him and helped him to maintain the position he had won. Because of its close dependence on oratory it was also capable of elevating the new man.

This concept of *patrocinium*, a word that refers to the protection offered by a patron to a client in both general and specifically judicial senses, provided an important element in the later prosopographical school of Roman history, which sought to understand Roman politics in terms of individual connections and careers. The foremost practitioners of this approach were Münzer in his many articles that appeared in *Real-Encyclopädie der classischen Altertumswissenschaft* (1893–1980) on Roman politicians and in his 1920 *magnum opus* (Münzer 1999), and Syme, whose *Roman Revolution* (1939) formed the starting point for all further work on the republic and the transition to the principate (see also Taylor 1949: 98–118). For prosopographers the identities of the many participants in both sides of a trial served as valuable clues in reconstructing political groups, termed *factiones*. This approach was given greater credibility by Badian's brilliant explanation of the trial of Norbanus in the mid-nineties BCE, and the cast of characters who participated in it – a Metellan *factio* for the prosecution, and a Marian one for the defense. These groupings were portrayed by him, it should be noted, as malleable and impermanent (Badian 1957).

Yet, even at its height, doubts were voiced about the prosopographical method, not least by one of its foremost practitioners, Gruen, who spoke of the “perils of schematism” (Gruen 1971). Broughton (1972: 253–4) likewise, in a sympathetic explication of prosopography, notes some *caveats* with regard to trials:

Political use of the criminal courts was frequent and is clearly attested, but one must always allow something for the actual guilt or innocence of the accused, for the young orator's effort to win personal distinction, or the ability of some leading aristocrat in peril in the courts to bring patrons of opposing views together in his defense.

The prosopographical approach produced much fruitful research into the trials of the late republic, but its application to trials hit a substantial roadblock with the publication of Brunt's *Fall of the Roman Republic* (1988a). Not only did this volume contain a reprint of Brunt's chapter on *amicitia* (“friendship”), in which he challenged Badian's interpretation of the trial of Norbanus (Brunt 1965: 15), as well as pointing out that archenemies Clodius and Cicero both appeared for the defense of Marcus Scaurus in 54 BCE (Brunt 1965: 14–15), but it contained a new chapter on *clientela* (“clientship”), in which the author denied that forensic clients were *clientes* in Gelzer's sense (Brunt 1988c: 405), and moreover refuted the view that *clientelae* were important building blocks of political power at Rome and that *patrocinium* determined Roman voting behavior (Brunt 1988c: 424–31). Brunt showed that established advocates were willing to defend those to whom they had no prior connection. Prosecutions needed to be conducted rarely and with discretion; therefore, a Roman politician, mindful of the *inimicitia* (“feud”) that would be caused by a prosecution or hostile witness in a capital case, must have been very cautious about engaging in such activity (Brunt 1965: 13–14). As Craig points out in his magisterial survey of Ciceronian bibliography for the period 1974–99, Brunt's work on *clientela* has led to a “paradigm shift” away from the view that a network of interpersonal connections determined the functioning of Roman politics (Craig 2002a: 523).

Riggsby has made a convincing argument that Roman jurors needed to believe in their own verdicts (whether or not the facts and the law warranted those verdicts),

and oratory was crucial in persuading them to accept the arguments of one side or the other. The viewpoint critiqued by Riggsby takes two forms: emphasis on rhetorical trickery and emphasis on social standing (Riggsby 1999: 5–20; see also Alexander 2002: 31–8). According to the first view, “what won the juries over was not the validity of Cicero’s case, but the amazing boldness of his argument; not truth, but sheer unmitigated effrontery. . . truth itself, the guilt or innocence of Cicero’s client, was rarely very important. . .” (Zetzel 1994). According to the second (Swarney 1993: 155):

The trial in all three cases examined here [Roscius of Ameria, Cluentius, Caelius] was not of evidence and documented reports about crimes, or legally definable versions of the truth, but of reputations and of place within the community. . . . What we witness in these events is less a judicial and more a social occasion.

Riggsby demonstrates on the basis of ancient evidence (especially *Off.* 2.51, where Cicero contrasts the *verum* (“true”) sought by the jurors with the *verisimile* (“plausible”) employed by the orators) that the jurors believed that it was their job to decide on a verdict consistent with the truth, as they saw it (Riggsby 1997). Of course, Riggsby is not claiming that all Roman verdicts, or even most Roman verdicts, constituted the legally correct decision based on relevant facts and law, even if it were possible for us today to make that determination. Riggsby’s formulation will, in my view, find acceptance, although Craig calls for more work to explain “how we are to comprehend the acceptance of Cicero’s deceitfulness by his juries/readers” (Craig 2002a: 519).

But even if an orator needed to persuade the jurors that his explanation of the case represented the truth, did not the nexus of social relationships, including political relationships, influence their perception of the case? In a limited sense, the answer must be yes – limited to the prestige of the advocate. The forensic speaker vouched for his case by the function of *conciliare* (“recommend,” Cic. *De Or.* 2.115, 182). Since the Romans made extensive use of the “rhetoric of advocacy” (Kennedy 1968), the character not just of the client but also of the advocate had to be presented in a favorable light, and could therefore influence the jurors (Fantham 1973, for an analysis of *conciliare* and its application both to speakers and clients). Nor should there be any doubt that the character of the client played a role in the outcome, although in Roman eyes this was not an extralegal factor, but rather constituted evidence that allowed the jurors to assess how plausible it was that the defendant had committed the alleged act or acts that formed the basis of the trial (Riggsby 1999: 37–8; Alexander 2002: 34–6).

It might seem obvious that judicial speeches are directed at jurors, since they decide the verdict, but scholars have argued that the forensic orator spoke to a double audience – not just the jurors but also the *corona*. This “crown,” or crowd of onlookers, gathered around a trial, since it was held in the open Roman Forum, and must have often provided exciting entertainment: “The Roman public played as large a part in these trials as the formal jury. Repeatedly Cicero speaks of the need to move the anger or sympathy not only of the upper-class jurors but also of the surrounding common citizens, whose hostility could affect and intimidate the jury” (Fantham 1997: 121, see also 125; cf. Tatum 1999: 15; Millar 1998: 217–18).

Two passages from Cicero's *Brutus* might seem to justify this point of view. He describes the "best-case scenario" for an orator in terms of audience reaction: the space around the trial is packed, the *corona* is numerous (*multiplex*), the juror is attentive (*erectus*), and when the orator starts to speak, the crowd itself calls for silence (290). Cicero had previously (200) contrasted the successful speech that holds the jurors' attention with the unsuccessful speech that leads to jurors yawning, chatting, and checking the time, as well as requesting an adjournment. But in both passages, the emphasis is on the reaction of the jurors, and the *corona* is mentioned only as a *gauge* that a critic can use to assess the orator's performance, not as the group to which the orator addresses his speech (Riggsby 1997: 243 n24; Alexander 2002: 36). To say that the reaction of the *corona* merely indicates how the speaker is doing is not to deny that it might have, on occasion, influenced the jurors, but neither of these passages speaks to that issue.

Oratory and Advancement

Ability in oratory undoubtedly often enhanced public reputation and advancement in the *cursus honorum*. The most striking example of such a benefit is Cicero himself, someone with no senatorial ancestors who rose to the consulate of 63 BCE from the obscurity of Arpinum, a town situated far from the center of Roman power, although only 110 kilometers away on the map. His distinguished career as a public speaker started in 81 BCE, and he was recognized as Rome's leading orator by the early sixties (*Brut.* 320–1). Oratory ranked second only to generalship as an accomplishment that could advance a career to the consulate (see, e.g., *Mur.* 22, where, admittedly, it is to the advantage of Cicero's client for generalship to be ranked before oratory). It was very rare however, to undergo the double promotion of Cicero, first into Rome's political class, and then to the pinnacle of success within it, and the author of the *Commentariolum Petitionis* argues that Cicero's defense of consulars in the law courts demonstrates his suitability for the consulate (Quintus Cicero?, *Comment. Pet.* 2). The importance of oratory is reinforced by Cicero's *Brutus*, his history of Roman orators (not including those still alive in 46 BCE, the date of its composition). This work presents a rich and varied range of personalities, including quite a few of lower social standing than we regularly encounter in our republican historical sources. As Cicero moves chronologically through generations of Roman orators, we can detect the positive influence that their craft had on their advancement in society. Of the 221 orators included by Cicero in the *Brutus* (Sumner 1973), about twenty-one appear to be of non-Roman Italian origin, and another ten appear to have been Romans who rose from obscurity to some renown. However, we cannot assume that all the orators mentioned in the *Brutus* were household names in antiquity, since it is one of Cicero's most erudite works, listing many individuals that were obscure at that time (244, 251, 299). It is worth noting too that the many more typical Roman politicians mentioned by Cicero may themselves have owed their political success as much to their oratory as to their family background. Whatever the case, it is clear that oratory became a significant pathway for Italians to consolidate and develop their

role in the vastly expanded Roman state that took shape after the Social war (91–88 BCE), in which the Romans first crushed their rebellious Italian allies and then gave them Roman citizenship.

Rhetorical Education

The utility of oratory evidently created a market for education in rhetoric. We see this in the rhetorical handbooks published in the nineties and eighties, such as Cicero's *De Inventione* and the anonymous *Rhetorica ad Herennium*, whose pedestrian presentation testifies to their practical utility. People wanted to learn this "high tech." Indeed, the teaching of rhetoric became a contentious political issue in the context of the unrest that led to the Social war. Suetonius records two official actions, one dating from 161 BCE regarding both teachers of rhetoric and philosophers, and the other taken in 92 BCE with regard to certain teachers of rhetoric (see chapter 3). The first was a decree of the senate instructing the urban praetor to see to it that both *rhetores* and *philosophi* were absent from Rome, and the second was an edict of both censors to the effect that people calling themselves *Latini rhetores* had introduced a novel form of instruction that violated *mos maiorum* ("ancestral [Roman] custom"), and that both the teachers in these schools and their students were displeasing to them (Suet. *Rhet.* 25.2; Kaster 1995: 272–5; Gell. *NA* 15.11.1–2; Kennedy 1972: 93–6). Suetonius also relates that Cicero wrote in a letter (no longer extant) that he remembered that in his youth a certain Lucius Plotius Gallus taught in Latin, and that all the most enthusiastic students went to him for training; but Cicero was not allowed to do so because *doctissimi homines* ("very learned men") thought that he should be educated through traditional Greek training (*Rhet.* 26.1). The sources indicate that Plotius was just the best known of several *rhetores Latini* (pace Schmidt 1975: 215).

Not surprisingly, since one of the censors, Lucius Licinius Crassus, is one of Cicero's interlocutors in the *De Oratore*, Cicero has Crassus comment on his censorial ruling. He explains that he acted to remove the *Latini magistri* because he felt that their teaching dulled the talents of their students, and he calls such a school an *impudentiae ludus* ("a school of shamelessness," *De Or.* 3.94; see also Sen. *Controv.* 2 *praef.* 5; Quint. *Inst.* 2.4.42; Tac. *Dial.* 35.1) – hardly a surprising sentiment in a work that argues that the orator must be a complete statesman, trained more by example and experience than by formal instruction. Paradoxically, Roman traditionalists who distrusted rhetoric as a Greek art had come to insist that rhetoric be taught through the medium of the Greek language and Greek culture.

Clearly much had changed between 161 and 92 BCE. Whereas the senate and praetor in 161 had sought to remove all philosophers and teachers of rhetoric, who must have been Greek, by 92 the censors were excluding Latin teachers of rhetoric (that is, those who used Latin as the language of instruction, not teachers of Latin status). In effect, they were protecting the traditional methods of education that men such as Cicero had received, ones that depended on the Greek language and Greek writings, including Greek philosophy. The edict was aimed not at the citizenship status of the teachers, but at their novel method of instruction, which vastly

increased the number of potential students, since instruction offered a shortcut to a superficial mastery of rhetoric. Kaster agrees with Gruen's dismissal of the earlier explanation that connected the *Latini rhetores* with a Marian, *popularis*, or "democratic" faction, pointing out that the passage that has been used to support this connection reveals no political alignment between Marius and Lucius Plotius Gallus; it merely states that Marius hoped to be glorified by the prose of Plotius (Kaster 1995: 293; Cic. *Arch.* 20; see also *Schol. Bob.* 178, Stangl 1964; Gruen 1990: 179–91). Gruen is also probably right to dissociate the censorial decree of 92 from the *Lex Licinia Mucia* of 95, which attempted to remove some Italians from Rome. Although the statute and the censorial edict both bear the name of Licinius Crassus, they need not have had the same aim.

Kaster outlines two possible explanations for the censorial edict, explanations that are not mutually exclusive (Kaster 1995: 273–4). First, as Gruen points out, by 92 rhetorical education based on Greek instruction and Greek models had long been established at Rome, and therefore opponents of Latin rhetorical education could appeal to *mos maiorum* to justify their restrictions. Greek sources formed the basis of rhetorical handbooks, even those written in Latin (Clarke 1996³: 15), such as Cicero's *De Inventione* (ca. 91 BCE) and the anonymous *Rhetorica ad Herennium* (written at some point after 86 and probably before 82 BCE), though the latter work, unlike the former, strains to downplay its Greek heritage (4.10; Corbeill 2002a: 31–46). Traditionalists may have argued that rhetorical education lacking a thorough grounding in the Greek classics would be superficial. Second, the censors may well have thought that the creation of *ludi* ("schools") threatened the practice of *tirocinium fori*, the public apprenticeship by which adult aristocrats molded their successors, and that these *ludi* therefore promoted demagoguery and undermined the Roman elite's supremacy (Schmidt 1975: 210). However, soon after the dramatic date of the *De Oratore* (91 BCE) the Romans faced far more pressing problems than rhetorical pedagogy, as the Social war challenged their domination of Italy, and such schools may have made a comeback only in the sixties BCE (Schmidt 1975: 215–16).

The restrictions on these teachers of rhetoric may reveal a more profound development in Roman political culture and institutions. The parallel with the development of jurisprudence is instructive. Jurisprudence during much of the republic had depended on a *tirocinium fori* for transmission from one generation to the next, as young men listened to jurists provide legal *responsa* ("answers") to real-life legal issues that lay persons brought to them. But starting in the latter half of the second century BCE a jurisprudential literature had emerged that allowed the layperson to gain some legal education through a written rather than oral medium. Frier identifies three factors that led to this process: first, the enfranchisement of Italians; secondly, a vast rise in wealth among the Italian upper classes that created a need for litigation and a legal substitute for personal social relationships; and thirdly, general instability (Frier 1985: esp. 155–8, 279–82).

Rhetorical education may, for similar reasons, have moved away from a long apprenticeship (which in this case, unlike jurisprudence, involved absorption of a foreign intellectual tradition) toward formal instruction and textbooks that simplified the discipline to make it more accessible. Though the enfranchisement of Italians in the aftermath of the Social war must have advanced this process faster and to a greater extent than before, in the case of both jurisprudence and rhetoric the pressure in this

direction must have started before that conflict. David (1979) shows that an increase in criminal statutes and criminal prosecutions fostered the growth of rhetoric. But at least as important must have also been the growth of private litigation, as non-Roman residents of Italy were increasingly pulled into the economic orbit of Rome. They now needed to use Roman law and the Roman courts to defend their property rights, and wanted to learn what they needed to know to exploit them. Therefore the market for the two skills needed to function in a Roman judicial context – jurisprudence and rhetoric – must have been expanding already in the second century BCE, and both jurists and rhetoricians met that demand. The rise of Marcus Tullius Cicero of Arpinum to become consul and Rome’s leading orator is just the most obvious manifestation of a widespread phenomenon in a Romanized Italy.

FURTHER READING

The most important Roman sources for the relationship between oratory and politics in the Roman republic are Cicero’s *De Oratore* and *Brutus*. The former can now be found in an annotated translation with introduction and notes (May and Wisse 2001). Fantham (2004) situates the ideas presented in this work within the realities of Roman politics and institutions. Millar (1998) stresses the importance of Roman voters as autonomous participants in political decisions, and therefore the importance of speeches in *contiones* as a way to persuade them. Morstein-Marx (2004), while agreeing that those speeches are important, views them as a tool for elite control of the voters.

Readers can gain an understanding of the prosopographical approach to trials from Gelzer (1969), Taylor (1949: 98–118), and Broughton (1972). Badian (1957) is the exemplar that many other practitioners of this approach strove to emulate. Brunt’s analysis of *clientela* (1988c) undercuts a premise of the approach. Frier (1985), Riggsby (1999), and Alexander (2002) in their analysis of trials give greater scope to the law as opposed to factional analysis, while still contextualizing the trials. Crook (1995) presents the role of the advocates and their speeches in Roman trials. Powell and Paterson (2004) deals with Cicero in the role of advocate; while all the chapters are relevant to the subject of this chapter, the editors’ introduction (2004: 1–57) is particularly useful for understanding the function of forensic advocacy in the Roman republic.

CHAPTER NINE

Oratory and Politics in the Empire

Steven H. Rutledge

Writers during the early empire were remarkably conscious of the way in which contemporary politics had intruded on and radically transformed the nature and scope of political oratory. Not for the imperial senate the fierce invective and rancorous verbiage of the *Verrines*, the *Catilinarians*, or *Philippics*. The advent of the *princeps, sapientissimus et unus* (“one man wise before all others,” Tac. *Dial.* 41) had changed the landscape on which rhetoric could range. Those authors active in the government of the empire, Tacitus and Pliny in particular, are especially sensitive to the restraints and limits that the new political reality imposed. However, imperial sources are at times equally conscious of the social and political dynamics that continued to make rhetoric as essential a part of Roman political life as it had been during the republic. The situation – and occasional resultant tension – is exemplified in Tacitus’ *Dialogus*, set in 75 CE, where Marcus Aper notes assertively the political and social benefits of oratory (5–8), while Curiatius Maternus argues that the changed historical situation has diminished its importance, if not rendered it superfluous altogether (36–41). To what extent was either of them right? The question has been asked, in one form or another, by numerous scholars, most notably Syme (1958: 100–16), Winterbottom (1964), and Caplan (1944), and all have a decidedly negative view of imperial rhetoric, though their arguments tend to be informed by a perceived negative view in our ancient sources. More recent studies (Kennedy 1994; Fantham 1997) have given the political context of imperial oratory greater attention, if not entirely its due. It is the intent of the current study to assess what role oratory still had in political life – what were its capacities, what were its limitations, and what are our own in understanding the political context of imperial oratory.

Sources

Our sources for the application of rhetoric in the political life of the empire are, at first glance, seemingly sparse. They include the rhetorical exercises handed down to us by

the elder Seneca and Quintilian (who also left us with a handbook of rhetorical theory). In addition, we have some ideas concerning the theory of rhetoric from the epistles of the younger Pliny, Fronto, and the work of Aulus Gellius. We have a single speech by the younger Pliny (the *Panegyricus*), and a fragment of an oration the emperor Claudius delivered to the senate concerning admission of the Gauls to the senate in Rome (see *ILS* 212; cf. Tac. *Ann.* 11.24); our only other direct source, Apuleius' *Apology*, concerns a local criminal charge, not high politics. While we know of numerous orators (such as Domitius Afer and Marcus Regulus) and writers of oratory (such as Galerius Trachalus and the younger Seneca), virtually nothing of their own oratory survives, and we depend on other sources for what we know about their style. Such understanding is rendered further problematic for orators who cooperated with the regime (as was indeed the case with Afer and Regulus) against individual senators, since our sources deliver a generally hostile verdict on their style of oratory or its application (for a discussion of Afer's rhetoric see Rutledge 2001: 220–3; for Regulus, Rutledge 2001: 192–8). Cassius Dio's *Historicus*, written in Greek, tends to offer little in the way of a window into the relationship between Roman rhetoric and politics in the high empire, since after the reign of Augustus most orations he relates are either fragmentary or schematic. In terms of the application and scope for oratory, two men – Tacitus and Pliny – give us perhaps our best view of rhetoric in action.

Neither of these sources, however, is without its problems. Tacitus leaves us a relatively detailed narrative of the events from 14 until 96 CE, with some large and frustrating gaps. Yet this is the least of the difficulties we face. Tacitus' history is highly rhetorical in nature – not surprisingly, since, as the ancients recognized and as modern scholars have come to appreciate, history was at its base a rhetorical endeavor, influenced by techniques that informed the composition both of poetry and oratory (Fornara 1984: 138–41). Speeches, motives for action, the depiction of battles – historians embellished these for dramatic effect (as Cicero knew, see *Fam.* 5.12). Some skepticism is therefore in order. To cite but one example of the difficulties we encounter, Tacitus' depiction of the trial of Calpurnius Piso is highly dramatic (Tac. *Ann.* 3.11–18), but as recent epigraphic evidence shows, it is not entirely accurate in its details (Damon 1999). Pliny is less dramatic, though still somewhat problematic. Although his letters give us a good window into trials in which he himself participated and include greater detail (and less drama) than is the case with his friend and contemporary, he nonetheless published the letters with a view to polishing his own reputation; personally unflattering details he doubtless changed.

Rhetoric and the Political Class

The very existence of theoretical handbooks and rhetorical exercises that come down to us from the likes of Quintilian and Seneca seems a clear indication that oratorical virtuosity was still essential for Romans of the political class. Perhaps most telling, however, is the emphasis the younger Pliny put on oratory and the importance he attributed to it throughout his letters. Of the 247 letters in the corpus of the first nine books, approximately one-third attest, in varying degrees, to oratory's significance among the elite. Pleading in the courts, oratorical style, circulation and revision of

speeches previously delivered, the passing reference to a sick or dead colleague's eloquence, all indicate the professional importance oratory had for Pliny and the elite society in which he moved. Other sources, Tacitus in particular, also bear witness to oratory's abiding importance. A good show in the courts or senate was still the way a young man could and did make his mark. In his late teens, a well-placed Roman would come under the tutelage of a more experienced elder, attending him in the senate, and learning the political and legal lessons necessary for public life. Indeed, our sources indicate a broad "systemic" continuity from Cicero's time stretching into Tacitus' own lifetime, a space of some 150 years: Cicero, as a young man in the eighties BCE, had been "apprenticed" to Quintus Mucius Scaevola Augur for studies in civil law (*Brut.* 306, *Amic.* 1), and was under the guidance of Lucius Crassus in oratorical matters (*De Or.* 2.2; Rawson 1971); in the same way Tacitus had been "apprenticed" to Marcus Aper and Iulius Secundus with whom he appears in the *Dialogus*. The dramatic date of the dialogue is 75 CE, when Tacitus will have been only around twenty years old. Pliny too attests to undergoing a similar training (*Ep.* 8.14). By the time Tacitus himself was a mature politician, he too was acting as mentor to other rising stars (*Ep.* 4.13).

A man in his early to middle twenties, even in Tacitus' day, could still make one of his initial marks in politics through prosecution, and it is entirely possible that Tacitus may have made a name for himself in such a way. Pliny notes his eloquence in 100 CE during the prosecution of Marius Priscus, a corrupt governor of Africa (*Ep.* 2.11), and in his funeral oration of Verginius Rufus, who died in 97 (2.1), though his admiration was no doubt swayed by friendship. Moreover, throughout the pages of Tacitus there is ample record of ambitious upstarts, such as Romanus Hispo (*Ann.* 1.74) and Tarquinius Priscus (12.59) who early in their careers sought with varying degrees of success to make names for themselves through prosecution.

It is worth noting that even the *principes* could not escape the need to show off their rhetorical skills, and their "peers" in the senate remarked a *princeps'* ability to speak well, at least according to Tacitus, who gives us a review of the rhetorical prowess (or lack thereof) of the emperors from Augustus' through Nero (*Ann.* 13.3). There he notes that Augustus' was a *prompta ac profluens* ("ready and eloquent") oratory. His successor, Tiberius, was *validus sensibus aut consulto ambiguus* ("powerful in his expression but ambiguous by design"), a generous assessment in comparison to Tacitus' earlier disparagement of Tiberius as one whose *suspensa semper et obscura verba* ("ever ambiguous and cryptic words," 1.11) constituted a style that mirrored his hypocrisy and treachery. The fact of Caligula's *turbata mens* ("disturbed mind," 13.3) did little to damage his *vim dicendi* ("strength of speaking"). And Claudius' speeches did not lack eloquence, provided he practiced. Nero, for Tacitus, was a different matter. He opened his reign with an address to the senate written by Seneca, having *alienae facundiae eguisse* ("had need of the eloquence of another") and having no real taste for rhetoric himself (though in a surprisingly apologetic remark Tacitus notes that his poems displayed some learning).

Delatores and the "New" Rhetorical Style

What style did the orator employ in the post-Ciceronian world of imperial Rome? In the course of the *Dialogus*, Vipstanus and Aper, men with two somewhat different

opinions concerning oratory and its contemporary state, find themselves in agreement on one central point: since Cicero's day oratory had changed, and the two agree that one figure in particular, Cassius Severus who lived under Augustus, had contributed in no small part to that change. The words of Vipstanus are worth quoting in full:

si [Cassius] iis comparetur, qui postea fuerunt, posse oratorem vocari, quamquam in magna parte librorum suorum plus bilis habeat quam sanguinis. primus enim contempto ordine rerum, omitta modestia ac pudore verborum, ipsis etiam quibus utitur armis inkompositus et studio feriendi plerumque deiektus, non pugnat, sed rixatur. (Tacitus, *Dialogus de Oratoribus* 26.4)

If [Cassius] were compared to those who were later, he can be called an orator, although the greater part of his books contains more bile than blood. For he was the first who, having despised good composition, with no sense of modesty or shame in his diction, and even disorderly and generally thrown off his feet by the very weapons he used due to his eagerness to strike, did not fight but bickered.

Now Winterbottom (1964) in an important article accepted Vipstanus' assessment of Cassius Severus as instituting a new style that, he argued, came to be associated with *delatores*, imperial informants and prosecutors who worked on the emperor's behalf in the courts and senate. He was not alone. Even before Winterbottom, Syme (1958: 100–2) had asserted that this style became popular especially with prosecutors; both scholars cited Tacitus and Pliny in particular for support. It is not hard to appreciate why. Tacitus, for one, characterizes *delatores* in violent terms, remarking, for example, that the notorious Neronian prosecutor Eprius Marcellus was *torvus ac minax* (“fierce and threatening,” *Ann.* 16.29), or that the Domitianic *delator* Baebius Massa was *optimo cuique exitiosus* (“destructive for every man of the best class,” *Hist.* 4.50), while Pliny makes particular note of how vicious the oratory of Nero's minister Marcus Aquilius Regulus could be (*Ep.* 1.5; cf. 1.20, which contains Regulus' favorite aphorism: *ego iugulum statim video, hunc premo*, “at once I see the jugular and press home”). But the assessment of the violent nature of Roman oratory is problematic (Rutledge 1999; cf. 2001: 13–15).

First, our sources that represent *delatores* are terribly hostile to them. *Delatores*, as our sources depict them, work in the interest of the emperor and against that of the senate. Since our main sources – Pliny, Cassius Dio, Suetonius and, above all, Tacitus – were themselves of that body, there is a natural hostility toward those representing the imperial court. Secondly, we have no speeches from the hand of a known *delator*, though works did circulate by figures such as Domitius Afer (see, e.g., Quint. *Inst.* 9.3.66), whom Tacitus (*inter alios*) considered a notorious prosecutor working under Tiberius and Caligula (*Ann.* 4.52, 4.66; cf. 14.19). But for their style we are generally dependent on the likes of Pliny and Tacitus, and both are quite averse toward them (although Afer seems to have escaped total damnation: Tacitus balances Afer's negative actions with grudging mention of his *ingenium*, 4.52). The one exception is Quintilian who, in the case of Afer, actually speaks favorably of him, noting his use of humor and his work on rhetorical theory in this area (*Inst.* 6.3.42; cf. 6.3.54, 68, 81, 84–5, 92–4).

Two other considerations are in order when Pliny and Tacitus assert, and modern scholars accept, that *delatores* developed a particularly violent style during the

principate. First, it is important to note that the very activity that *delatores* pursued, the act of prosecution, was something that Romans considered inherently violent. This was true not only in the time of Tacitus and Pliny, but of Cicero too (Rutledge 1999: 556–9). Moreover, this was recognized both in practice and in theory, as the rhetorical treatises of Cicero and Quintilian attest. Secondly, and perhaps most telling of all: one must seriously question just how much more violent oratory could have been in Tacitus' day than it was some 150 years earlier as evidenced in Cicero's own orations, such as the *Verrines*, *Catilinarians*, or *Philippics*. In the political rough and tumble of the late republic (as even Tacitus understood, *Dial.* 37), oratory was something that was exciting, by virtue of its violence and the emotion it could arouse.

The style that the *delatores* practiced is not our only difficulty. In addition, there is the problem of just what our sources meant by the term *delator*. Since this has been discussed elsewhere (Rutledge 2001: 9–16), a brief summary will suffice. The term is in fact a fluid one, and serves in our sources (from Livy through the time of Tacitus) to refer to a number of different activities: one who denounced a crime (*index*), one who acted as a witness (*testis*), and the actual prosecutor (*accusator*) could all be considered a *delator*; so, too, could a courtier or freedman who played any one of these roles. Occasionally the term could be applied to one who partook in any number of these activities (e.g., one who served as both *index* and *accusator*). But the terms *delator* and *accusator* are often used interchangeably in our sources. The word *accusator* can be used either neutrally or negatively. The word *delator*, however, is decidedly polemical – and abstract. Scholars such as Walker (1960²: 101), Martin (1981: 136), and Sinclair (1995: 118–19) note that the word is a schematic term of abuse used to construct a category and to typologize certain types of behavior that for Tacitus and his contemporaries were decidedly negative. Sinclair cites the following passage in Tacitus in his discussion of this phenomenon:

nec multo post Granium Marcellum praetorem Bithyniae quaestor ipsius Caepio Crispinus maiestatis postulavit, subscribente Romano Hispone: qui formam vitae iniit quam postea celebrem miseriae temporum et audaciae hominum fecerunt. nam egens, ignotus, inquires, dum occultis libellis saevitiae principis adrepat, mox clarissimo cuique periculum facessit, potentiam apud unum, odium apud omnis adeptus dedit exemplum, quod secuti ex pauperibus divites, ex contemptis metuendi perniciem aliis ac postremum sibi invenerunt. (Tacitus, *Annales* 1.74)

Not much later Caepio Crispinus accused Granius Marcellus, the former praetor of Bithynia under whom Caepio had served as quaestor, of treason, with Romanus Hispo acting as supporting prosecutor: this man entered upon a form of life which the miseries of the times and the daring of men afterwards made famous. For without means, unknown, restless, while he wormed his way into the *princeps*' cruelty by secret letters, he soon endangered each man of most illustrious rank. Having obtained power with the *princeps*, he won hatred among all. He gave an example which made those who followed it rich men from poor, men to be feared instead of despised; they destroyed others and afterwards themselves.

Here we have Tacitus' quintessential version of the *delator*, the low-born opportunist who seeks power and position, is regardless of others and himself, gains a foothold in the *princeps*' inner circle, and works with the emperor against the interests of the senate

and the privileged elite. They therefore constitute a negative sociopolitical type and ultimately a historical construction based on class and political biases. The term is further exposed as a construct when one considers the following: in 22 CE Mamercus Aemilius Scaurus, Brutteditus Niger, and Iunius Otho prosecuted Gaius Iunius Silanus, a former governor of Asia, for *repetundae* (“maladministration”) and *maiestas* (“treason,” Tac. *Ann.* 3.67.2; see Rutledge 2001: 68 for discussion). Though clearly guilty, even by Tacitus’ admission, the historian’s portrayal of Silanus is sympathetic, and he does little to hide his distaste for the prosecutors. The case is intended to set Tiberius in a bad light, to throw into relief the ever increasing power of Sejanus, his praetorian praefect, and to construe the case as just another instance in the ever tightening chains of imperial tyranny. Yet it was a simple and necessary matter of justice for the provincials, and the *princeps* sensibly looked after those under his tutelage. The “crime” of the *delatores* here is that they had sided – rightly so – with the *princeps* in a case of provincial mismanagement. It stands as just one of numerous examples we could cite in which a perfectly legitimate act of law enforcement is set in a negative light. Tacitus’ presentation rings all the more hollow when we consider that he himself had undertaken a similar prosecution against Marius Priscus in 100 CE (Plin. *Ep.* 2.11). In Tacitus’ view it appears that who exactly was regarded as a legitimate *accusator* rather than a *delator* depended, in part, on who was the sitting *princeps*.

Freedom of Expression in Its Political Context

For Tacitus and his contemporaries, *delatores* were but one manifestation of a more general malaise that hung like a pall over the early principate. A general impression left by a cursory reading of Tacitus (see especially *Hist.* 2.3) or uncritical acceptance of, say, Pliny (*Pan.* 34–6) or Juvenal (see, e.g., 1.35; cf. 4.46–8) would certainly lead one to believe that *delatores* contributed substantially to the death of free expression. Yet, as noted above, our sources are capable of sowing misconceptions and false impressions, which come to be accepted as gospel even by the most impeccable scholars. The extent to which *delatores* cramped an orator’s style, particularly in the senate, is problematic. The opinion of some was that oratory was still a vigorous and flourishing art, while others argued that it had been restricted and confined by the principate (see chapter 24). The overwhelming impression is that serious limits had been set on such oratory in the courts and senate under the principate. Again, we owe that impression in no small part to Tacitus. His depiction of this phenomenon has led scholars of the principate to draw a clear line between the republic and empire, the former a period of free political expression to which the principate put an end. Thus in the opening of his *Historiae* Tacitus asserts that, following the battle of Actium, “truth was broken” (*veritas . . . infracta*, 1.1), while in the *Dialogus de Oratoribus* he states (through Maternus) that the third consulship of Pompey was a watershed in terms of limiting freedom (*Dial.* 38). Elsewhere for Tacitus the prosecution of Cassius Severus during the rule of Augustus (*Ann.* 1.72) represents the beginning of imperial repression of free speech. The line of division, however, as Tacitus’ uncertain chronology betrays, is a moving target.

Before we begin our assessment of this view in earnest, it is worth noting that, even if the art of oratory had been circumscribed, it had done little to diminish the quality

of rhetoric in the high empire. Such an assertion may appear surprising to some: given that the *Panegyricus* is the only extant (political) oration, how can such an assertion stand? A possible solution for us is to take a broader approach to our definition of rhetoric. Historiography arguably gives us a clue. Taking the ancients on their own terms, let us accept that history is essentially a rhetorical genre designed, like oratory, to sway the emotions of its audience (see, e.g., Cic. *Fam.* 5.12). Take it to the next step: Tacitus is arguably the greatest representative of Roman historiography. His *Annales* constitute nothing less than an indictment – a prosecution if one will – against the Julio-Claudians, one that has successfully condemned them to infamy for nearly two millennia. Consequently Tacitus, through his work, gives us some clue of what Roman oratory could yet achieve.

Now how much freedom an orator had in the senate is not easy to ascertain. However, contrary to our sources' generally negative depiction, closer examination of them appears to indicate that it was not as repressive as one tends to think. For reasons of space, we will confine our discussion to the reign of the Julio-Claudians. It should also be noted that we are here concerned exclusively with the "political" application of oratory, though that term is rather broad. It includes not merely oratory delivered in the senate on such matters as the admission of Gauls or luxury laws, but on numerous criminal matters as well, such as libel or provincial maladministration. In terms of political discourse, every indication is that senators, contrary to a more commonly held belief, had relatively free rein in terms of political discussion within the senate. Augustus, by most accounts, was lenient toward free expression. The two most outstanding cases of repression, against Titus Labienus and Cassius Severus, were both for libel. However, they stand as notorious prosecutions where harsh penalties were exacted as a result of literary compositions, not (as far as we know) political expression (Rutledge 2001: 89, 209–12).

Tiberius' reign is better documented, and the record of free expression is ambiguous (and were we to extend our examination to the written word, the situation would grow still more complex). The case of the Roman knight (*eques*) Pompeius may seem typical: speaking in the senate (on what matter Suetonius does not say), he was threatened with imprisonment (*Tib.* 57); but here, as in so many other instances, we do not know what was said, and we have no context for Pompeius' speech. Certainly senators carefully measured their words in an effort not to offend the emperor and to curry favor with him. Hence came absurd suggestions such as that the month of November be named after Tiberius; the proposal, however, merely elicited Tiberius' derisive sarcasm: καὶ τί . . . ποιήσετε, ἂν δεκατρεῖς Καίσαρες γένωνται ("and what will you do when there are thirteen Caesars?"), Cass. Dio. 57.18). One day Tiberius, departing the senate and wearying of its adulation was heard to remark "*o homines ad servitutem paratos*" ("oh men fit to be slaves," Tac. *Ann.* 3.65). One could understand such irritation as exasperation: Tiberius was willing to allow the senate greater freedoms than it was inclined collectively to accept.

Yet this gloomy panorama of adulation is balanced by those who spoke their mind without consequence. At the start of his reign it may have been that some senators felt sufficiently secure to mock Tiberius' hesitancy in accepting imperial power (Suet. *Tib.* 24). Moreover, it is difficult to see where freedom of speech ever really damaged anyone's career, at least early on. We note, for example, that Asinius Gallus' *faux pas* upon Tiberius' succession (Tac. *Ann.* 1.12) had no immediate – and probably no

long-term – consequences (despite Tacitus' contrary implication). Aemilius Scaurus' and Haterius Agrippa's want of diplomacy upon Tiberius' succession (1.13) did nothing to prevent Tiberius from elevating both to the consulship seven years later, and the apparently offensive oration of Lucius Arruntius (1.13) did not stop Tiberius from keeping him as governor of Spain for ten years in succession. Nor did Calpurnius Piso's frankness concerning the activities of *delatores* in 16 CE have any consequences for himself but rather put Tiberius in the position of begging Piso in full view of the senate not to abandon public life (2.34). We further glean that, despite the privileges granted to prosecutors to repeat openly in their cases the derogatory words directed against *principes* (see Cass. Dio. 68.1), some of these took excessive advantage of this privilege, at times much to the emperor's irritation but without detectable consequence. Hence Tiberius lashes out against Romanus Hispo in his prosecution of Granius Marcellus for repeating Granius' words against the *princeps*, yet Hispo went on to become an influential minister at Tiberius' court, and his family remained active and prominent in political life even into Trajan's reign (see Rutledge 2001: 207). Later under Tiberius' watch, the frank words before the senate of Marcus Terentius, a former ally of Sejanus, also went unpunished (Tac. *Ann.* 6.8–9).

Ultimately it is very difficult to judge just how much free expression Tiberius was willing to permit in the senate. On the side of tolerance stands Tiberius' tendency to adhere to Augustan precedent, and we recall the anecdote in which Augustus admonished the young Tiberius to ignore the reproofs of enemies. When Tiberius later became *princeps*, Suetonius relates, contrary to some of his own anecdotal material, that the emperor was adamant that freedom of speech be permitted and that this was particularly the case for the written word, where he refused to allow denunciations:

sed et adversus convicia malosque rumores et famosa de se ac suis carmina firmus ac patiens subinde iactabat in civitate libera linguam mentemque liberas esse debere; et quondam senatu cognitionem de eius modi criminibus ac reis flagitante: “non tantum,” inquit, “otii habemus, ut implicare nos pluribus negotiis debeamus; si hanc fenestram aperueritis, nihil aliud agi sinetis: omnium inimicitiae hoc praetexto ad vos deferentur.” exstat et sermo eius in senatu percivilis: “siquidem locutus aliter fuerit, dabo operam ut rationem factorum meorum dictorumque reddam; si perseveraverit in vicem eum odero.” (Suetonius, *Tiberius* 28)

But even against insults and vicious gossip and famous songs against himself and his family he was steadfast and tolerant, boasting from this that in a free state there ought to be free minds and tongues; once even when the senate was demanding an investigation concerning charges and defendants of this sort he said: “We do not have so much leisure that we ought to embroil ourselves with more business; if you open up this window, you will allow nothing else to be done. Everyone's enmities would be denounced to you on this pretext.” There is also a thoroughly gracious speech of his delivered in the senate extant: “If anyone should speak otherwise, I will strive to render an account of my deeds and words; if he shall persist, I will hate him in turn.”

On the whole, Tiberius may have been rather more tolerant than our sources allow (though this is not to imply that he was by any means democratic), a matter that will be taken up from a different perspective below.

The reign of Caligula did much to curtail senatorial debate, though it again found its voice under his successor, Claudius. Indeed, it is to Claudius' credit that, despite all its mischief during the succession crisis of 41 CE and the revolt of Camillus in 42, he was quite willing to permit dissent in that body (for Camillus' revolt see especially Cass. Dio 60.15–16; for discussion see Levick 1990: 59–61). Hence some very strong opinions against allowing Gauls into the senate were voiced within that body before the *princeps* expressed his own opinion on the matter – a far different picture from Piso's request for Tiberius to give his own opinion first lest senators inadvertently dissent from the *princeps*, although Claudius' opinion (not surprisingly) prevailed in the end (Tac. *Ann.* 11.23–4). Such toleration of dissent, however, is offset by the servile manner in which the senate acquiesced to Claudius' marriage to Agrippina (12.5–6). Finally, we note that Suetonius refers to Claudius' *patientia* in the area of free expression and cites two instances where this was seriously taken advantage of in the law courts, with two lawyers abusing Claudius to his face (*Claud.* 15). Yet no consequences, as far as we know, ensued from their actions.

In Nero's reign we would find an equally ambiguous record within the senate, at least until 65 CE. Nero, however, appears to have been relatively “hands off” (Tac. *Agr.* 45), which may have meant that the senate was less intimidated and felt it had a more independent hand in managing affairs of state. Hence, balancing off the senate's servile reaction to Agrippina's murder, Thrasea Paetus, Nero's famous opponent, spoke in 62 for leniency in the case of Lucius Antistius, who had written *probosa carmina* (“reproachful poems”) against the *princeps*; the senate granted it (Tac. *Ann.* 14.48–9; see Rutledge 2001: 113–14 for discussion). The previous year the Roman jurist Gaius Cassius felt sufficiently at ease to plead a case before the senate which overrode an imperial request for clemency toward the slaves of the household of Pedanius Secundus, a consular murdered by a domestic servant (14.42–5). It appears only later that the atmosphere had truly chilled after 65, in the aftermath of Piso's conspiracy.

Oratory and Orators under the Principate

The republic had seen senators ply their rhetorical skills in cases concerning provincial maladministration, corruption and violence in political life, conspiracy against the state, even treason (see Alexander 1990 for a summary). While the advent of the principate generally eliminated corrupt electioneering, there was still the need to check violence against the state and provincial mismanagement. On top of that, more mundane matters intruded, such as debates on luxury laws. New to the senate were debates and discussions over honors to the emperor and his family. In addition, new laws governing sexual behavior, marriage, and privileges and obligations concerning (what we would call) reproductive rights were put on the books (see, e.g., Tac. *Ann.* 3.25–8). Tacitus' *Annales* in particular present us with a broad survey of such matters as they came before the senate. In the first book he relates a senatorial debate concerning imperial titles and privileges in the wake of Augustus' death and Tiberius' succession (1.14; cf. 1.72). Later, and more ominously (in Tacitus' view), was the attempt to reintroduce the vague *lex de maiestate* (1.72–4), though initial attempts to prosecute under it found little success (Rutledge 2001: 87–9; for a detailed study see

Bauman 1967). In these chapters too is the first attempt to prosecute for showing disrespect toward the imperial godhead, although this and other such attempts also met with little success. There is as well the first case of provincial maladministration in Tacitus (against Caepio Crispinus for peculation in Bithynia, *Ann.* 1.74). Such a charge, with the occasional accusation of *maiestas* added for good measure (see, e.g., the case of Gaius Silanus, 3.66–9) is one that will come up repeatedly in the pages of Tacitus, and Pliny as well. The charge against Caepio included verbal abuse against the *princeps*; such charges, it is worth noting, rarely entailed any legal consequences except in exceptional circumstances. Book 2 contains a dense series of court cases and senatorial debates compressed into six chapters: discussions concerning luxury laws (2.33), the excessive zeal of advocates (2.34), the terms for holding the magistracies (2.36), all are recorded under the year 16 CE. So too is the first detailed trial of a would-be conspirator in the senate, that of Marcus Scribonius Libo Drusus, tried not only for conspiracy, but for magic practices and the consultation of astrologers as well (2.27–31). That same book also recounts the first trial of a well-connected imperial woman for adultery, Appuleia Varilla (2.50).

Once Tacitus has finished book 2 he has presented to us what were to prove the main subjects of oratory in the senate. Everything else – in Tacitus and in our other sources – is mere variation: protecting provincials, trying senators and their families for various crimes (in Tacitus frequently of a sexual nature), treason, conspiracy (which often included charges of magic and astrology), social legislation, the petty business of the state, the awarding of privileges, titles and honors to the emperor, his family, friends and servants – such was the stuff of political discourse in that august body. In addition there were the speeches of thanks delivered in the senate and customary on the assumption of office awarded by the emperor (see Plin. *Ep.* 2.1), exemplified by Pliny's *Panegyricus*. Finally, it is worth noting that some subjects were, it appears, off limits, deemed too trivial for the senate's *dignitas*. Hence in 58 CE when Thrasea Paetus tried to take issue with a decree allowing Syracuse to sponsor a show exceeding the legal number of gladiators, he was criticized for making an issue out of a trifling subject (Tac. *Ann.* 13.49). Not everything was fair game.

Discussion and debate naturally took place frequently in the emperor's absence. However, emperors did preside over senatorial debates occasionally. Concerning Gaius we have little information. Nero famously did not, while Domitian by contrast did (Tac. *Agr.* 45). Tiberius and Claudius, by all accounts, were relatively active participants in senatorial debates and court cases. And the *princeps* – *qua princeps* – always held greater *auctoritas*; his opinion usually carried the day, although, as noted above, it did not stifle entirely the ability of others to express more independent views. There was room for give and take. Since space does not permit a comprehensive examination of the extent to which the *principes* participated in and influenced all senatorial debates, let us take the case of Tiberius, since his activity is documented by Tacitus in this area in some detail.

First, however, a brief caveat is necessary. It is difficult to tell from Tacitus' text whether Tiberius is actually present on certain occasions. While the text often seems to imply that he is, we cannot always be sure. For example, at the conclusion of the debates on the luxury laws Tacitus states: *adiecerat et Tiberius non id tempus censurae nec, si quid in moribus labaret, defuturum corrigendi auctorem* ("Tiberius also had added that it was not the time for a censorship nor, if morals should slip, would an

authority for their correction prove wanting,” *Ann.* 2.33). Now *adiecerat* could imply Tiberius’ physical presence (expressing his opinion then and there orally), but it could also imply that he communicated his opinion through a missive, as emperors were wont to do from time to time (see, e.g., 3.35), and the text leaves unclear whether Tiberius was physically present or not. Here we are only concerned with instances in which the text notes explicitly the *princeps*’ physical presence.

The first example we have occurs soon after the death of Augustus in 14 CE, when Tiberius vetoed senatorial proposals that attempted to grant Livia the title “Mother of her Country,” (*mater patriae*, 1.14; cf. 1.72). The next time we find Tiberius in person is the following year, when he was embarrassed after he threatened to give an opinion on a case of *repetundae* and *maiestas*. This drove Calpurnius Piso to inquire: “*quo*” *inquit* “*loco censebis, Caesar? si primus, habeo quod sequar: si post omnis, vereor ne imprudens dissentiam*” (“In what order will you cast your vote, Caesar? If first, I’ll have something to follow; if after everyone, I fear lest I unwisely dissent,” 1.74). Tiberius dismissed the case of *maiestas*; the case for *repetundae* was referred to a special judicial board dealing with such matters. We have already discussed above the next case, that of Piso forcing Tiberius to degrade and embarrass himself before the senate in 16 CE. The next year, according to Tacitus, he heard in person the prosecution of Appuleia Varilla for treason and adultery. He answered points of law put to him by the consul and apparently insisted that the treason law be dismissed and that her sexual offense be remitted to her family for judgment. We know in 20 CE that he was on hand for the trial of Gnaeus Calpurnius Piso, charged in the death of Germanicus, and for sedition and for entering Syria with armed force (3.12). According to Tacitus (whose presentation of this case is highly problematic; see Damon 1999), Tiberius framed the terms of the debate and dictated *meditato temperamento* (“with studied moderation”) the question at hand. In Tacitus’ version Tiberius certainly swayed the outcome of the case, something that is perfectly credible considering that emperors did not look kindly on provincial mismanagement.

Tiberius was equally influential in the next case where he was present, that of Gaius Silanus in 22 CE, a governor of Asia who was patently guilty by all accounts of maladministration, though Tiberius dismissed the *maiestas* charge against him (3.66–9). The case is remarkable for Tiberius’ participation, where he read letters from Augustus, thereby citing precedent to bolster the prosecution’s case. However, he intervened in favor of moderation and clemency when a debate ensued concerning oversight of the character of potential governors (3.69). The trial of Lucius Ennius came soon after, in which the emperor, sitting in the senate, moved to crush a charge of *maiestas* against the defendant on the grounds that he had melted down an effigy of the *princeps* (3.70). Two years later, in 24 CE, we hear that he was actively involved in the case of Plautius Silvanus, a senator who had murdered his wife, even going to the house to investigate the scene of the murder himself (4.22).

Also in 22, after an alleged conspiracy by Vibius Serenus was uncovered, Serenus’ accomplice, a certain Cornutus, was implicated and committed suicide before his case finished (3.30). It was then proposed as a general principle that the rewards for the accusers be forfeited in cases of *maiestas* where the accused anticipated the verdict by suicide. The question was debated and Tiberius (extraordinarily according to Tacitus) intervened with the remark: *subverterent potius iura quam custodes eorum amoverent* (“better that the laws be overturned than their guardians removed,” 4.30).

The accusers were to have their rewards. The next case he presided over in person, according to Tacitus, was that of Votienus Montanus, where he was subjected to hearing insults hurled at him in private in a public setting (4.42). The imputations much agitated Tiberius, who openly declared his intent to clear himself, and Montanus was condemned for *maiestas*. Montanus' is the last case we have where we can be assured of Tiberius' presence.

The overall record appears to be one in which the *princeps'* authority in senatorial debate held sway. There was, however, the opportunity for the prosecutor to repeat abuse of the emperor in court, for which he and his witnesses had immunity. In addition, there was the possibility of sometimes contradicting imperial will; debate and discussion was clearly influenced, though by no means stifled by the emperor's presence.

Conclusion

Quintilian refused to list the *multi deserti* ("many eloquent men") of his day – it would take too long (*Inst.* 10.1.118). He only mentions five by name: Domitius Afer, Iulius Africanus, Galerius Trachalus, Vibius Crispus, and Iulius Secundus. Tacitus, too, noted the eloquence of all five. Quintilian, giving no specifics, would surely have added others (10.1.122). Based on remarks by Tacitus and Pliny, we may add, conservatively, Marcus Aquilius Regulus, Eprius Marcellus, and Tacitus himself; a more generous view would add those noted for their forensic skills in Pliny's letters. There is a good reason oratory flourished. By the second century CE much had changed from the republic to the empire politically to reshape the dynamics of oratory, but much had remained the same as well. Tacitus in the *Dialogus* has Maternus lament that the *magnitudo causarum* ("enormity of the cases") was lacking for oratory in his day – it was no longer *de ambitu comitiorum, de expilatis sociis et civibus trucidatis* ("over corrupt electioneering, despoiled allies and citizens cut down in cold blood," *Dial.* 37.4). That is not entirely true. To judge from Tacitus and Pliny both, oratory in the imperial period was still a valued skill and a high-stakes game. If the repartee between Eprius Marcellus and Helvidius Priscus in 70 CE (*Tac. Hist.* 4.4–9), the trial of Barea Soranus and his daughter Servilia (*Ann.* 16.30–3) or bitter exchange between Vibius Serenus and his son (4.28–30) are half as dramatic as Tacitus portrays them, then rhetoric and oratory were still the stuff of heady drama in the imperial senate. The motives that sometimes drove prosecution were similar both in the first and second century CE and in the ancient republic. Personal enmity, familial obligations and feuds, protecting the interests of *clientelae*, and career ambitions could all drive the orator to take up a prosecution. Factionalism, no longer between *optimates* and *populares*, but between the imperial court and various groups within the senate, and indeed sometimes between rival groups within the imperial house itself, was a dynamic also very much in play during the early principate. In the end what is perhaps most striking about Roman oratory is its staying power: amidst the sea change in the Roman politics of the principate, at least into Tacitus' day, the orator (sometimes even *qua* statesman) which had first appeared on the scene in the republic, had not only survived, but was still apparently thriving.

FURTHER READING

The individual cases and speeches delivered in the senate and discussed by scholars are numerous. For a discussion of the style of contemporary orators see Rutledge (1999); on individual *delatores* Rutledge (2001); in addition, see Rivière (2002), in French. For a more general discussion of oratory and senatorial procedure during the principate see Talbert (1984); for the place of oratory and rhetoric in senatorial culture, see Fantham (1996, 1997), who treats the cultural and political contexts respectively in which senators learned and practiced rhetoric. Studies that examine the *Dialogus* as a source for oratory and its historical and cultural contexts include chapter 24 in this volume, Goldberg (1999), and Levene (2004). Goldberg argues that Aper represents a modernist perspective of oratory and considers rhetoric to be strong and flourishing, while Levene, who looks at the *Dialogus* as a literary history, explores the problems that the work presents as a historical source for contemporary scholars. Bartsch (1994) and Rudich (1985) consider the constraints set on rhetoric under the repressive power of the emperors and examine how the Roman elite use various rhetorical methodologies, including double-speak, ambiguity, and innuendo, to negotiate the power structures of imperial society; the former is useful for its close rhetorical analysis of Pliny's *Panegyricus*. These works touch upon an issue that still awaits a general and up-to-date treatment – that of freedom of expression in the early empire. Williams (1978), a standard study on oratory of this period, is still valuable for the material it brings together and discusses from the early empire, although my chapter and chapter 24 challenge his views of decline.

CHAPTER TEN

Roman Senatorial Oratory

John T. Ramsey

Theory

Greco-Roman handbooks on rhetorical theory have very little to say about oratory in the Roman senate. One reason why this is so is that rhetorical theory in the Roman world was chiefly grounded on a system worked out by the Greeks, and the Greeks had no institution precisely comparable to the Roman senate (Mack 1937: 15). The senate evolved from a council of noblemen that was formed by the early kings of Rome. Throughout its history, it functioned in a strictly advisory capacity, first to the king and later to the annually elected magistrates who replaced the king. It was convened most often by one of the two consuls, who were the chief executives of the state, and sometimes by one of the praetors, elected officials who ranked just below the consuls and were eight in number in the Ciceronian age. Eventually, the ten plebeian tribunes gained the right to call a meeting of the senate and lay a question before it for debate. This large number of potential conveners virtually guaranteed that the senate was consulted on every matter of importance. Membership was for life, barring removal for disgraceful conduct or a criminal conviction, and under the major reforms of the dictator Lucius Sulla in 81 BCE, the size of the senate was increased from 300 to 600. After Sulla, admission to the senate was henceforth gained by election to the quaestorship, for which the minimum age was thirty. Because of its stable membership, and because of the wealth of collective experience shared by its members, who were all ex-magistrates, the senate became a locus of considerable power. This elite body exercised almost absolute control over both foreign and domestic policy, and yet it could not enact laws; that power resided with the several voting assemblies.

A second reason why senatorial oratory received little theoretical discussion, even in handbooks written by Romans who were well acquainted with the senate, has to do with the nature of oratory practiced in that body. Of the traditional, threefold division of oratory into forensic (judicial), epideictic (display), and deliberative

(Arist. *Rh.* 1.3), speeches delivered in the senate naturally tended to be deliberative for the most part or, on occasion, epideictic, which is further divisible into encomium and invective. Rhetorical handbooks devote far more attention to forensic oratory because the Greeks, and hence their Roman followers, regarded that type of oratory as more complex than the other two classifications. Aristotle (*Rh.* 3.13), for instance, asserts that deliberative oratory is comprised of basically just two elements, a statement of a position (the *prothesis* or *propositio*) and the presentation of reasons for its adoption (the *pistis* or *confirmatio*). The rules for making a successful speech of that type tend to be rather simple and briefly stated (e.g., Cic. *Inv. Rhet.* 2.155–76; cf. *Rhet. Her.* 3.2–9). By contrast, rhetorical treatises distinguish up to six distinct parts of a forensic oration (*exordium*, *narratio*, *partitio*, *confirmatio*, *refutatio*, and *peroratio*), and these handbooks lavish much attention on describing the requirements of each of those parts.

Of course, theory did not always govern practice. Deliberative speeches do sometimes exhibit all six divisions, most notably Cicero's *De Imperio Cn. Pompeii* of 66 BCE, his first address to the Roman people. Most deliberative speeches, however, had no need for a *narratio* because the facts of the matter under debate were usually well known and agreed upon by the audience. A *partitio*, the section where a speaker gives an overview of the points he intends to cover, was sometimes included but was by no means obligatory. Rarely, but on occasion, a senatorial speech will even dispense with introductory remarks comprising a formal *exordium*. Since the aim of an *exordium* was to make an audience *benivulus* ("well disposed"), *attentus* ("attentive"), and *docilis* ("receptive to the argument," Cic. *Inv. Rhet.* 1.20; *Rhet. Her.* 1.6), it could be omitted when the senatorial audience was sufficiently on the orator's side in advance of his speech, or when special circumstances called for a speech to have a more abrupt beginning. For instance, Cicero's First Philippic plunges directly into a *narratio*, a feature sufficiently unusual to call for comment by the fifth-century CE grammarian Grilius (*Rhet. Lat. Min.* 604.9–14; Halm 1863).

Usually, however, there is a readily distinguishable *exordium* and *peroratio* in Cicero's extant senatorial speeches. Moreover, Cicero's bitter invectives in the senate against his political enemies Lucius Piso and Mark Antony contain many of the elements typically found in judicial speeches. Given the overlap that deliberative and epideictic oratory could have with forensic speeches (*Inv. Rhet.* 2.110), rhetoricians generally left it to the users of their rhetorical treatises to apply the rules for composing a successful forensic speech to other types of oratory.

Descriptions of the Ideal

In his rhetorical treatises, Cicero drops some very interesting hints about the nature of oratory in the senate. On the whole, it seems to have been rather plain and simple. In *De Oratore* (2.333–4), it is stated that a speech in the senate should be characterized by less ornamentation (*minor apparatus*) because the audience was educated (*sapiens*) and because time had to be allowed for many other speakers to have a turn in the debate. It is further recommended that there be no blatant display of cleverness (*ingeni ostentationis suspicio*). By contrast, a speech aimed at persuading the people in a public meeting (a *contio*) needed to

pull out all the stops and be full of weightiness and variety (*contio capit omnem vim orationis et gravitatem varietatemque desiderat*).

These brief remarks about the characteristics of an ideal senatorial oration can be fleshed out a bit by what Cicero tells us about the style of Marcus Aemilius Scaurus (consul 115), who was the chief member of the senate (*princeps senatus*) in the generation preceding Cicero's. Speeches by Scaurus are said to have possessed weight (*gravitas*) and to have carried conviction (*auctoritas*). They inspired trust of the sort that one might place in a witness giving testimony at a trial (*Brut.* 111). They are credited with having been ideally suited to stating one's views in the senate, but they are judged less well adapted to the needs of defending a client, a task that often called for pyrotechnics and large doses of emotion (112).

Quintilian, writing in the imperial period, in the late first century CE, agrees with this judgment, stating that a somewhat lofty mode of speaking is ideal for producing persuasion in the senate (*sublimius aliquid . . . dicendi genus*), whereas when delivering a speech to the people a more emotional style (*concitatus*) is best (*Inst.* 8.3.14). This more animated style, it seems, was sometimes produced by the effect that a large audience could have on a speaker. Cicero claims that an orator can scarcely be eloquent without the inspiration of a vast crowd (*De Or.* 2.338); indeed, the reputation of a truly great orator ultimately rested on his public performances in front of the people who attended public meetings or formed the group of bystanders (*corona*) at trials (*Brut.* 186).

The crowds that gathered in the Forum or in the Circus Flaminius to hear a speech at a public meeting were often huge. They could include women as well as men, foreigners, and slaves as well as Roman citizens. Unfortunately no ancient source gives a figure for the size of these gatherings, but modern estimates range as high as 15,000 to 20,000 (MacMullen 1980a: 456; Millar 1998: 224). These are only approximations, of course, based upon taking into consideration: (1) the size of the meeting areas themselves, which were sometimes filled to capacity (*De Imp. Cn. Pomp.* 44, 69), and (2) the distance over which a human voice can be heard without the benefit of modern amplification equipment. If at a packed meeting we assign a maximum of four persons per square meter (a number that I have determined by experiment to be acceptable), then the two areas where the people met in the Forum could hold up to 12,800 persons (in front of the Rostra: roughly 3,200 square meters) and 19,000 (the slightly larger area in front of the Temple of Castor: approximately 4,800 square meters). The size of the crowds addressed in the 1874 elections by the nineteenth-century British politician and Prime Minister William Gladstone, figures ranging anywhere from 5,000 to 15,000 persons (Jenkins 1995: 377), gives us some idea of the limits imposed by the carrying distance of an orator's voice.

Oratory in the senate, by contrast, was practiced in meetings ranging in size from 200, which was regarded as a slim quorum (Cic. *Q. Fr.* 2.1.1), to slightly over 400, which was looked upon as a well-attended (*frequens*) meeting (*Att.* 1.14.5, *Red. Sen.* 26). Furthermore, only the leading senators out of these 200 to 400-plus senators, as defined by their rank as ex-office holders and seniority, were given an opportunity to speak. The first to be called upon were always the consuls-elect, if elections had already been held for the following year. Next came all the ex-consuls who were present. In the age of Cicero, the presiding magistrate had some freedom in deciding the order in which the ex-consuls were invited to speak, but once that order had been

established early in the year, it was usually maintained until a new set of magistrates took office. For instance, in 61 BCE, two years after his consulship, Cicero occupied the second place among the ex-consuls (*Att.* 1.13) and in 58 he spoke third (*Red. Sen.* 17). After the ex-consuls had been heard from, the next to be called upon were the praetors-elect and then the ex-praetors.

Those farther down the ladder, especially junior senators who had risen no higher than the quaestorship, participated largely as silent members. These “backbenchers” (*pedarii*) expressed their opinion mostly by means of their feet (*pedes*), moving to one side or the other of the chamber when a formal division of the house was taken. Members also sometimes indicated their support for a view already expressed by moving to sit near the advocate(s) of that position, and a senator could yield his speaking time, when called upon, by uttering just a few brief words of assent with a previous speaker (*Q. Fr.* 2.1.2). Cicero tells us that the noted jurist Quintus Mucius Scaevola (consul 117) often convinced his fellow senators to follow his expert opinion by speaking briefly, in an unadorned fashion (*De Or.* 1.214).

Training in Senatorial Oratory

The fact that an opportunity to speak was routinely granted to only a small number of the senators present, just the senior members, means that those leading senators spoke far more frequently in the senate than they did in any other venue. The senate met on numerous occasions throughout the year, sometimes day after day in times of crisis such as in January 49 and 43 BCE (Stein 1930: 62–3, 80–2). By contrast, a leading advocate like Cicero delivered speeches in only a handful of major court cases during a whole year, and politicians were only occasionally invited to address a *contio*, typically when some important piece of legislation was pending or when the people needed to be informed of some action taken by the senate. Junior senators, who were rarely given an opportunity to speak, must have gained valuable insight into how to make an effective senatorial speech by observing their more senior colleagues. Textbooks on oratory, as we noted above, offered little guidance. This on-the-job training – serving as understudies to a senior political figure during a phase of their upbringing (known as the *tirocinium fori*) – provided a valuable capstone to the education that Rome’s future leaders received from professional teachers of rhetoric (see chapter 6).

While a young, aspiring senatorial orator worked his way up the ladder of public offices, he could, of course, hone his speaking skills outside of the senate, in the courts. As early as his twenty-fifth year, Cicero made his first appearance as an advocate in a law case, delivering his *Pro Quinctio* in 81 BCE, a good five years before his election to the quaestorship in 76. Later, in 70, when he was still a junior senator, Cicero’s stunning success in prosecuting the praetorian ex-governor Gaius Verres most likely entitled him to the reward of being permitted henceforth to speak in the senate among the praetorians – the rank of the convicted defendant (Taylor 1949: 112–13; challenged by Alexander 1985). Since, however, Cicero was the first in his family to hold public office and therefore did not inherit a network of political connections, he doubtless played quite a limited role in shaping policy in the senate during the years leading up to his consulship in 63.

Descriptions and Fragments of Senatorial Speeches

Among the best and most reliable sources to provide a description of actual speeches that were delivered in the senate are the private letters of Cicero. The reports contained in those letters were intended to pass along news to friends who were away from Rome and eager to be kept abreast of politics in the capital. Since the letters were not intended for wider circulation but only for the recipient, Cicero felt no constraint upon what he could write, especially in communicating with his close personal friend Atticus or his brother Quintus. Cicero states his honest and personal opinions concerning what took place in the senate on various occasions, and from the letters we gain a vivid picture of how oratory was practiced in the senate. They reveal that each senator was expected to be able to express his views on a wide range of issues, without the advantage of careful, advance preparation, and how each speaker typically tailored his remarks to support or refute those who preceded him. These quite detailed, eye-witness accounts of speeches delivered in the senate permit us to test and flesh out some of Cicero's tantalizingly brief comments on the nature of senatorial oratory that we find in his rhetorical works discussed above. For instance, in a letter written to Atticus in February 61 (*Att.* 1.14.2–4), Cicero describes three of the speeches that were delivered at a meeting of the senate at which the consul Messalla asked Gnaeus Pompey his views on measures adopted by the senate to address an act of sacrilege with which Publius Clodius was charged. Senior senators, especially ex-consuls who spoke early in a debate, had to be prepared to take a position on thorny issues, and Cicero sometimes agonizes in his letters over what he should say in times of grave crisis (*Att.* 7.1.4, 14.4.4, 15.4.1). The prosecution of Clodius in 61 had stirred much controversy, and Pompey tried to avoid committing himself to one side or the other by uttering merely general remarks in praise of the decrees of the senate. Some of his statements could, apparently, be construed as showing approval for Cicero's handling of the Catilinarian conspiracy in 63, and when it was Marcus Crassus' turn to speak, he chose to take up the theme of Cicero's consulship. Crassus launched into an extended encomium of Cicero's handling of the crisis, crediting him with the preservation of the state from fire and sword. The themes, Cicero tells us, were those that he himself frequently wove into his own speeches, and Cicero indicates that Crassus made his praise so lavish in part simply to embarrass his rival Pompey, who had not been at all generous in commending Cicero.

Cicero spoke after Crassus and tells us that he pulled out all the rhetorical stops and brought down the house: *si umquam mihi περίοδοι ἢ καμπαὶ ἢ ἐνθυμήματα ἢ κατασκευαὶ suppeditaverunt, illo tempore* ("if ever I had in abundance well-rounded sentences, pleasing turns of phrase, rhetorical devices and decorations, I surely did so on that occasion," *Att.* 1.14.4). The topics that he covered were the senate's resolve, the unity between the senate and the knights, the consensus of opinion throughout Italy, the crippled threat posed by the few remaining revolutionaries, peace and prosperity (1.14.4). These were themes to which Cicero returned again and again in his published and unpublished speeches, and so they came easily to his lips. To judge from the account in his letter, he gave an *ex tempore*, impassioned speech that was both highly polished and rhetorically very sophisticated. He

composed on the spot, much as an oral poet did in Greek society before Homer, drawing upon a stock set of themes.

At first glance, the elaborate form of Cicero's oration seems to contradict the recommendation in *De Oratore* 2.333–4 that senatorial speeches should adopt a simple, unadorned style, but in *De Oratore* Cicero was describing the style that is best suited for deliberative speeches, whereas the speech that he delivered in February 61 BCE was an encomium. Encomia are, of course, one branch of epideictic oratory, and as Cicero himself tells us (*Orat.* 207–10; cf. Quint. *Inst.* 8.3.11–12), such speeches allow more flourish in the form of elaborate, balanced clauses and pleasing rhythms. The orator can let out all the stops because the audience is not trying to make up its mind about a particular question, and so it is not on its guard against being misled by showy rhetoric. Instead, the audience welcomes an encomiastic speech for its entertainment value, playing the role of a spectator, a *theoros*, as Aristotle puts it (*Rh.* 1.3.2). Interestingly, Cicero cites his address to the senate, *De Consulatu Meo*, as one example of this type of speech (*Orat.* 210), which in all likelihood is the very speech described in *Epistulae ad Atticum* 1.14.4. It was apparently published, although no fragments survive (Crawford 1984: 102–5).

The course of the debate in February 61 vividly illustrates the freedom with which a senator, when called upon for his opinion (*sententia*), could introduce any topic that was on his mind. Crassus' praise of Cicero's consulship and Cicero's review of the general state of the nation were only very tangentially related to the question put to the house. The consul Messalla's *relatio* concerned the charge against Clodius and his impending trial. In the second century BCE the elder Cato took advantage of the freedom of speech in senatorial debates to add to his pronouncements on whatever subject the oft-repeated refrain advocating the destruction of Rome's enemy Carthage: *Carthago delenda est* ("Carthage must be destroyed," Flor. 1.31.4; cf. Plut. *Cat. Mai.* 27.2). Likewise, Cicero explicitly states in *Philippics* 1.1. and 3.13 that he will speak *de re publica* ("about public affairs in general"), although in the first instance the question before the house apparently concerned some routine matter (Ramsey 2003: 81) and in the other, the senate was being asked to consider providing protection for the new consuls of 43. In *Philippics* 7 of late January 43, Cicero argued at length against striking a peace agreement with Antony, and in the final sentence, he added, almost as an afterthought, that regarding the specific questions put to the senate (some public works projects), he agreed with the view previously expressed by his fellow consular Publius Servilius: *quibus de rebus refert, P. Servilio adsentior* ("on the matter in question, I agree with Publius Servilius," *Phil.* 7.27).

Turning next to a meeting of the senate that took place on May 15 in 61 BCE, shortly after Publius Clodius secured acquittal (by means of bribery) on the charge of sacrilege, we find Cicero trying to rally a disheartened senate by delivering a rousing speech on the general state of the nation (*de summa re publica*, *Att.* 1.16.9–10). He pointed out that Clodius' acquittal was a minor setback for the authority of the senate and that conditions were still generally favorable for the senate to provide leadership. In the course of his speech, Cicero spoke at some length about the tainted verdict in Clodius' recent trial and predicted that it was only a temporary reprieve from punishment. These remarks goaded Clodius into hurling insults at Cicero, when it was his turn to speak. To each of those insults Cicero immediately replied with taunts

of his own, and the lively banter between them (*altercatio*), as well as Cicero's preceding *oratio perpetua*, was taken down by someone present at the meeting and eventually put into circulation without Cicero's blessing (*Att.* 3.12.2, 3.15.3 of 58 BCE). Only fragments of that speech, the *In Clodium et Curionem*, survive (Crawford 1994: 239–44), but those fragments provide stunning confirmation of Cicero's report of what was said at that meeting. We can also see that debates sometimes became so heated that senators interrupted a speaker with whom they violently disagreed. The effect this participation by the senatorial audience had on speeches is difficult to gauge because we find in Cicero's extant orations only the occasional stray allusion to interruptions (e.g., *Cat.* 1.20 and especially *Prov. Cons.* 18, 29, 40). It is important, however, to bear such interruptions in mind; otherwise, we receive only a partial picture of senatorial oratory, just as accounts of the famous Lincoln–Douglas debates of 1858 fail to capture the full flavor of those exchanges when they give only the text of the speeches themselves and take no notice of the comments and questions from the audience (White 2002: 70).

The third and final meeting that we shall examine took place in December 57 BCE, quite close to the festival of the Saturnalia on the seventeenth. The holiday caused attendance to be slim, in the range of roughly 200 members, a bare quorum (*Cic. Q. Fr.* 2.1.1). The meeting was called by Lupus, one of the new tribunes who entered office on December 10, and he delivered a telling speech (*satis accurate*) against the Campanian settlements made under Julius Caesar's agrarian law of 59. Lupus had clearly prepared this harangue in advance, and we gather that it resembled the attack on an agrarian bill made by Cicero on January 1 in 63, when he convened the senate on the first day of his consulship. After delivering his speech, Lupus began to call for an immediate adjournment, but he was thwarted by one of the consuls-elect. Next, Lupus' colleague Racilius raised a new matter and asked the senate to consider what steps should be taken to force Publius Clodius to stand trial for disturbing the peace (2.1.2–3). Racilius clearly incorporated in his *relatio* hostile remarks against Clodius because later in the debate Clodius complained of having been attacked insultingly and wittily by Racilius (2.1.3). In response to Racilius' *relatio*, one of the consuls-elect proposed stiff measures against Clodius, and several of the tribunes spoke up in favor of milder action amid much uproar from the house. The other consul-elect simply endorsed the position of his colleague, and then Cicero was called upon first among the ex-consuls. His speech against Clodius is said to have stirred outbursts of approval. Another of the tribunes, Antistius Vetus, praised Cicero's speech and pressed for a vote to be taken on a resolution calling for Clodius' speedy trial. Since the weight of opinion seemed to be going against the interests of Clodius, when it was his turn to speak, he railed against Racilius and launched into a filibuster that was designed to force the senate to adjourn without taking a vote (2.1.3). This tactic took advantage of the fact that the senate was barred from passing a decree after sunset (*Gell. NA* 14.7.8) and that it was already late in the day (*sero*) when Racilius made his *relatio* (*Cic. Q. Fr.* 2.1.1). To top it off, Clodius' gang of street-fighters, who were gathered outside the meeting, on the steps of the senate house and across the way, suddenly made such a disturbance that the senate was hastily dissolved amid complaints and a sense of alarm. This final scene graphically shows how rhetoric alone was by no means the only tool employed by some ruthless senators to control the outcome of a debate.

Cicero's Speeches

Although we possess quite a few fragments and titles of speeches delivered in the senate by orators other than Cicero, Cicero's speeches are the only ones to survive apart from Pliny's *Pangyricus* of 100 CE and the much later panegyrics of the imperial age (see chapter 11). Slightly more than a third of the fifty-eight extant orations, twenty in all, if we include the undelivered *Philippic* 2, are addressed to the senate. Another nine were delivered to the people, while the remaining twenty-nine are forensic. It is only thanks to the preservation of the fourteen *Philippics* that the number of senatorial speeches is so large, slightly more than twice the number of *contio* speeches. Minus the *Philippics*, the extant political speeches are about evenly divided between senate (eight) and people (seven), although fragments are preserved of another five senatorial speeches and at least one *contio* speech – possibly two, depending upon the venue of *De Proscriptorum Liberis* (Crawford 1994: 159–293). The fifteen surviving political speeches are just about half the number of extant forensic speeches, and this preponderance of judicial speeches over political is what we generally find for other authors whose works are attested by title or fragments. For instance, out of the seventy-nine speeches known to have been delivered by the elder Cato (Malcovati 1976⁴: 18–94), ten can be assigned with reasonable certainty to the senate, and another fifteen were addressed to either the senate or a *contio*.

It seems, then, that although a senior senator like Cato or Cicero must have delivered literally dozens and dozens of speeches in the senate during the course of a year, the vast majority of those speeches were not regarded by the author as meriting wider circulation by being committed to writing. Most were ephemeral, lacking in both style and content. Significantly, nearly all of the senatorial and *contio* speeches that Cicero did choose to publish were delivered in periods when he took a leading role in politics. Except for the *De Imperio Cn. Pompeii* of 66 BCE and the *Pro Marcello* of 46, Cicero's political speeches belong to just one of three periods: either his consulship in 63, or the first few years after his return from exile in 57, or the years 44–43, when he led the opposition against Mark Antony. Concerning the consular speeches of 63, we happen to have a statement by the author himself about one of his motives for publishing them. Writing to Atticus in June of 60, two and one-half years after his consulship, Cicero tells his friend that he was forming a corpus of ten consular speeches with the aim of emulating the *Philippics* of Demosthenes, whose fame as an orator was enhanced by those speeches because Demosthenes *se ab hoc refractariolo iudiciali dicendi genere abiunxerat ut* σεμνότερός τις *et* πολιτικώτερος *videretur* (“refrained from the argumentative kind of speaking characteristic of judicial speeches so as to appear more solemn and statesmanlike,” *Att.* 2.1.3). With this goal in mind, Cicero omitted from his special collection two important defense speeches from the year of his consulship, the *Pro Murena*, which survives, and the *Pro C. Calpurnio Pisone*, which does not (Crawford 1984: 77–8).

Cicero's comment about the *Philippics* of Demosthenes helps us appreciate the role that nonforensic speeches could play in establishing an orator's reputation or enhancing it. The letter also sheds light on the process of publication, and it should caution us against uncritically accepting the extant orations as necessarily verbatim copies of what was actually spoken in the senate or a public meeting. *Epistulae ad Atticum*

2.1.3 shows that our texts of the speeches delivered in 63 almost certainly reflect what Cicero ultimately decided to include in, or omit from, the published versions that he put into circulation long after the delivery of the speeches themselves. (See Starr 1987 for a good discussion of the mechanics of “publishing” a work in antiquity.) In June of 60, Cicero was under fierce attack by his political enemies, and he increasingly felt the need to justify his harsh measures against the Catilinarians. For this reason, scholars understandably suspect a major reworking of the four *Catilinarians*, especially the two senatorial speeches, numbers 1 and 4 (see Nisbet 1965: 62; Winterbottom 1982: 61–2).

Other letters offer tantalizing glimpses into the editorial process and caution us further against blindly treating the published speeches as transcripts of the oral versions. For instance, *Epistulae ad Atticum* 1.13.5 of January 61 reveals that Cicero was intending to follow the advice of Atticus and add a whole new section to his senatorial speech that was delivered against Metellus Nepos in early 62. Later, in *Epistulae ad Atticum* 13.20.2 of July 45, Cicero gives as one of his two reasons for not adding some material to his *Pro Ligario* of November 46 the fact that the speech was already too widely disseminated. Interestingly, in another letter written later that same month (*Att.* 13.44.3), Cicero asks Atticus to arrange for the correction of a factual error that had been brought to his attention in that speech. The passage in question (*Lig.* 33) is uncorrected in the surviving textual tradition, a fact that shows how difficult it was to rectify mistakes or make any changes after publication. Cicero blames the slip on a *lapsus memoriae*, which indicates that the written version of the speech was prepared after its delivery. This seems to have been the usual practice (*Brut.* 91, *Tusc.* 4.55). The only part that was customarily written out ahead of time was the *exordium* (*Quint. Inst.* 10.7.30–2), and a skilled orator was expected to perfect the technique of making smooth transitions from the occasional written parts to extemporaneous speaking (*Cic. De Or.* 1.152). The only Ciceronian speech known to have been delivered from a written script is his *Oratio Post Reditum in Senatu*, which was his first after his return from exile and thus required special care (*Planc.* 74). From what we can gather, it was extremely rare for senators to bring with them a prepared text, and then only on important occasions: for instance, Pompey in 57 (*Sest.* 129), Fufius Calenus in 43 (*Phil.* 10.5–6), and Cicero himself when he delivered his *sententia* in honor of Plancus in May of 43 (*Fam.* 10.13.1).

Of course, the written versions of Cicero’s senatorial speeches do reveal, at the very least, what Cicero wanted to take credit for having said at a given meeting, even if we cannot vouch for their strict accuracy as a record of what was actually spoken. The length of most of them seems consistent with the recommendation in *De Oratore* 2.333 that a senatorial speech should be relatively brief so as to allow time for other speakers to have a turn. In their written form, all the extant senatorial speeches, except for *De Haruspicum Responso* and *In Pisonem* (leaving aside *Phil.* 2 as being a pamphlet), could have been delivered orally in well under an hour. If Cicero spoke at a slow to moderate pace of 100 to 110 words per minute, most would have occupied only 30 to 40 minutes. For instance, his *Oratio Post Reditum in Senatu* (roughly 4,380 words), which we know was delivered from our written text on a highly ceremonious occasion, can be read out in 40 to 44 minutes (47 minutes according to the formula recommended by Kirby 1990: 166, who allows 2 minutes and 40 seconds per Oxford Classical Text page). To take some other examples, *Catilinarian* 1

can be spoken in about 30 to 34 minutes, *Catilinarian* 4 in 27 to 29 minutes, and the *Pro Marcello* in 26 to 28 minutes. Therefore, a speech such as the *In Pisonem*, which in its written form would have taken nearly two hours to deliver, has rightly been suspected of having been vastly expanded from the oral version that Cicero gave in the senate (Nisbet 1961: 202).

One of the final ways in which we can try to identify some of the special characteristics of senatorial oratory, as opposed to other types, is to study the political speeches of Cicero that he chose to publish in complementary pairs, one addressed to the senate and another on the same subject to a *contio*. We can learn a great deal about senatorial oratory by observing how Cicero modifies his approach when he takes up some of the same issues in speaking to his fellow citizens outside the senate.

One difference between the two speeches in each pair that cannot be overlooked is the disparity in their lengths. For instance, the senatorial speeches *Philippics* 3 and 5 are nearly three times longer than the corresponding speeches addressed to the people, *Philippics* 4 and 6. The greater length of the two senatorial speeches is, of course, easily explained by the fact that in those speeches Cicero was trying to persuade his colleagues in the senate to adopt a certain plan of action, whereas in *Philippics* 4 and 6, he was merely reporting to the people decisions that had already been taken by the senate. Even in the *Oratio Post Reditum in Senatu* and *Oratio Post Reditum ad Populum* speeches, which are essentially epideictic and present no call for specific action, Cicero speaks at much greater length in the senate (4,370 words) than he does to the people (2,670 words). The one glaring exception to this pattern is presented by the first and second speeches against the agrarian law in 63 BCE. The speech to the senate, *De Lege Agraria* 1 (ca. 3,740 words, if we allow for the missing opening sections), is paltry in comparison with the speech to the people, *De Lege Agraria* 2 (10,330 words), but this reversal of Cicero's usual practice is easy to explain. In *De Lege Agraria* 1 Cicero was addressing a mainly sympathetic audience in the senate, one that needed little persuasion to oppose the giving away of public land. Therefore, the orator could say what he had to say in under 40 minutes. By contrast, in *Agraria* 2 Cicero had to argue persuasively and at length to convince the Roman voters to reject a bill that held out alluring promises of largess. Still, one has to wonder whether even Cicero could have held the attention of a standing crowd for nearly two hours, which is the time it takes to deliver the text of *De Lege Agraria* 2 in its present form.

In structure, when a senatorial and a *contio* speech have common themes, it is typical for Cicero to arrange his topics *seriatim* when speaking to the people but in a more sophisticated, interwoven fashion when addressing his colleagues in the senate: for example, *Philippic* 4 as compared with *Philippic* 3 (Thompson 1978: 115–16). Likewise in *Post Reditum in Senatu*, Cicero varies his presentation by interweaving sections of thanks and praise (3–5, 8–9, 18b–31a) with passages venting his spleen against his enemies (6–7, 10–18a). The arrangement in *Post Reditum ad Populum* is simple and linear by contrast: sections 1–5, a long proem incorporating thanks; 6–11, historical *exempla*, which are folded into the *peroratio* of *Post Reditum in Senatu* 37–8; 11b–17, *narratio*; and 18–25, *peroratio*. Once again, however, it is the two speeches on the agrarian law that provide an exception to Cicero's usual practice of adopting two different arrangements of topics in complementary senatorial and *contio* orations. The outlines of *De Lege Agraria* 1 and 2 are virtually identical because

Cicero chose to argue against Rullus' agrarian bill point by point, following the arrangement of the provisions in the proposal itself.

Yet, though *De Lege Agraria* 1 and 2 follow the same outline of topics, their content, as we might expect, is distinguished by considerable differences. For instance, when addressing the people, Cicero treats the Gracchi, who were popular, anti-establishment politicians, as praiseworthy models to hold up for condemning the latter-day reformers (2.10, 31, 81). However, in addressing his fellow senators, who had a more conservative outlook, Cicero introduces the Gracchi in a less complimentary fashion, referring to their "largess" (*Gracchorum largitioni*, 1.21). In the *Post Reditum* speeches, the portrayal of the popular but anti-senatorial figure Gaius Marius is likewise varied to suit the tastes of Cicero's audience: in *Post Reditum in Senatu* 38, Cicero emphasizes the destructiveness of Marius' revenge, whereas in *Post Reditum ad Populum* 20 Marius is treated more sympathetically, as a heroic and even pitiful figure. No attempt is made to reconcile the two different treatments in the published speeches. Contradictory views are presented to the reading audience without any apology, since it was a well-established principle that speeches addressed to different audiences call for different styles and content (*De Or.* 3.210–11).

Turning next to language and style, it should be noted that when Cicero is speaking to the people, he does not adopt simpler language or speak in shorter, less periodic sentences. The language in senatorial and *contio* speeches is about the same (Mack 1937: 89–90), which means that the *contio* speeches presume a high degree of oral comprehension. In fact, in addressing the people Cicero tends to maintain a greater purity of the language than he does in his speeches to the senate (Albrecht 2003: 25). For instance, he severely limits his use of words borrowed from Greek, confining himself in *Post Reditum ad Populum* to only two: *poena* and *impunitas*, which had already gained wide currency in the Latin language. By contrast, in *Post Reditum in Senatu* he uses seventeen different words of Greek origin (twenty-two, counting repetitions), an average of approximately 1.5 such words on each page of the Latin text (Oksala 1953: 61–2). Moreover, quite a few of those words of Greek extraction have a *recherché* quality, for instance, those for hairdressing (*cincinnatus*, *calamistratus*, *calamistrum*) and the extremely rare *pseudothyrum* ("concealed door"), which is found elsewhere in classical Latin only in *Verrine* 2.2.50. One reason why Cicero felt it appropriate to sprinkle more words of Greek extraction in his senatorial speeches is doubtless because most members of his audience were well versed in Greek as a second language. Also, the less common loan words from Greek turn up chiefly in sections where Cicero is lampooning his personal enemies. This explains their very high frequency in the *In Pisonem* – an average of 3.1 Greek words for every page of text (Oksala 1953: 66). Since Cicero mostly refrains from direct, personal attacks on his enemies when he is addressing the people, there are many fewer passages calling for language having a sharp edge. For instance, in *Post Reditum ad Populum*, although many of the same themes are treated, sometimes in strikingly identical language (e.g., *Red. Sen.* 37, *Red. Pop.* 6), there is no section corresponding to Cicero's bitter attack on his enemies Piso and Gabinius in *Post Reditum in Senatu* 10–18.

Words that lend a familiar tone to the discourse are found more often in chatty sections of Cicero's forensic speeches than in his political orations, and he uses them

more sparingly in addressing a *contio* than he does in speaking to his fellow senators. For instance, there are 170 instances of adjectives and adverbs in *per-* in Cicero's forensic speeches but only twenty-five instances in senatorial speeches and less than half that number (ten) in the *contio* speeches (Parzinger 1910: 122). The same holds true for diminutives, which belong to the informal language of everyday speech. They occur frequently in Cicero's letters but are used sparingly in the orations, where the frequency is noticeably greater in Cicero's forensic speeches than in his political orations (Laurand 1936–8⁴: 269). In speaking to the senate, where Cicero feels himself at liberty to indulge in a more playful or sarcastic or caustic tone because he is speaking in a clubby fashion to colleagues, he employs diminutives on forty occasions, thirteen in *In Pisonem* alone (see Laurand 1936–8⁴: 265–8 for a complete list). By contrast there are only five instances of a diminutive in speeches addressed to the people, and none at all in *Catilinarian* 3, or *Philippics* 4 and 6. They are also absent from solemn senatorial speeches, such as the *Pro Marcello* and *Philippic* 9. As for his use of out-of-the-way and unusual words, Cicero permits himself more freedom in his senatorial speeches than in his addresses to the people. For instance *helluo* (“spendthrift,” a rare word occurring only fourteen times in classical Latin) is used by Cicero six times in his senatorial speeches and only three times elsewhere, in his forensic speeches. In *Post Reditum in Senatu* 14 we find *stipes* (“trunk of a tree”), which is proverbial for a dolt (Otto 1890: 232), *negotium* (“work”), which is applied by Cicero to a person, outside the letters, in only this one passage (Laurand 1936–8⁴: 310), and (section 15) *instructor* (“one who equips”), the only instance of this word in classical Latin.

Turning next to the length and complexity of sentences, if we inspect the first thirty sentences of both senatorial and *contio* speeches – their *exordia* being ideally suited for making a comparison since they are the parts that are most likely to have been drafted in advance of delivery – we find no significant difference in the total number of words contained in these opening sections. For instance, there is less than a mere 10 per cent difference between the total number of words contained in the first thirty sentences of *Post Reditum in Senatu* and *Post Reditum ad Populum* (943 versus 860 words respectively), and the average number of words per sentence (31.4 and 28.6) differs by the same small percentage (figures from Johnson 1971: 67–8). Both speeches exceed the average of these two measurements for speeches delivered between 57 and 52 BCE (791: 26.3), *Post Reditum in Senatu* by nearly 20 per cent. This should come as no surprise since both speeches are epideictic and as such could be more expansive. In *Philippics* 3 and 5, delivered to the senate, the total number of words in the first thirty sentences is 662 and 485 respectively, with an average of 22.0 and 16.1 words per sentence. For the corresponding *contio* speeches (*Phil.* 4 and 6) the totals are 566 and 604 words, and the averages per sentence are 18.8 and 20.1. These latter figures are remarkably close to the overall averages for the period 46 to 43 BCE (553: 18.6), whereas one of the senatorial speeches (*Phil.* 3) is quite a bit above these averages, and the other (*Phil.* 5) is quite a bit below, the two extremes canceling each other out.

And finally, to illustrate the principle that Cicero does not talk down to the people, no better example can be offered than that provided by the opening sections of the *Post Reditum* speeches. *Post Reditum in Senatu* 1 comprises a total of ninety-nine

words distributed in three relatively short sentences of 31 to 35 words each. *Post Reditum ad Populum* 1, by contrast, consists of one long periodic sentence containing 127 words. It is so long that three-quarters of the way through, the speaker must take a momentary pause to catch his breath and resume with the words *hoc si animo*. This great long sentence makes no concession to the reader, and if it truly represents what Cicero said to the people in 57 BCE, it shows that by means of careful delivery, with suitable pauses and the right emphasis and intonation, a Roman orator could speak in just as sophisticated a manner to the man in the Forum as he could to his colleagues in the senate.

By way of conclusion, it is worth dwelling briefly on the fact that our sole surviving examples of senatorial oratory, namely, the speeches of Cicero, are almost certainly atypical of the vast majority of such speeches in at least three important respects. For one thing, a typical senatorial speech appears to have been relatively brief, unadorned and ephemeral. This picture, as we have seen, emerges from stray allusions to senatorial oratory in Cicero's rhetorical works and is reinforced by the accounts of senatorial debates that we have examined in some of Cicero's letters. Next, most orators who delivered speeches in the senate would have fallen far short of the oratorical excellence that is on display in Cicero's published speeches. Cicero was a towering figure and a consummate speaker, Rome's equivalent to Demosthenes. And lastly, the leading members of the senate, the senior consulars, were nearly all of them members of a tightly knit, inner circle of nobles to which Cicero aspired to belong but to which he was never fully admitted. Because he was a "new man" (*novus homo*), the first in his family to hold public office, Cicero was always viewed as an outsider by the senatorial elite, and therefore Cicero was never able to speak with the easy assurance and authority of the scion of an old, established family that could draw upon an inherited network of political connections.

We should also bear in mind that the majority of Cicero's extant senatorial speeches are products of an editorial process that took place after delivery and that they were written with a view to making them relevant and appealing, not just to a limited senatorial audience but to the much broader reading public as well. For this reason, these speeches are doubtless atypical of many speeches that even Cicero himself delivered in the senate. The written orations were put into circulation in part to show off their literary merits and provide models for aspiring young orators (e.g., *Att.* 2.1.3, 4.2.2, *Q. Fr.* 3.1.11); but Cicero's main goal in publishing them was to convey to his fellow countrymen his views and statements on public policy. This explains why all but one of Cicero's extant senatorial speeches were delivered in one of the three periods when he exercised, or tried to exercise, political leadership. Other senators followed this same practice. For instance, Julius Caesar published three senatorial speeches that he delivered early in 58 in defense of his consular laws and acts of 59 (Malcovati 1976⁴: 393–4). Since this is so, although the written versions of Cicero's senatorial speeches may provide a reasonable guide to what he said on any given occasion, the majority of them cannot be regarded as faithful transcripts. They are, rather, showpieces of oratory and of political propaganda, and we must take all of these factors into account when we seek to reconstruct the nature of actual speeches that were delivered in the Roman senate.

FURTHER READING

A bibliography of publications on Cicero's speeches and rhetorical works for the period 1974–99 has been compiled by Craig (2002b). It lists separately under the title of each speech all relevant publications. To the best of my knowledge, there is no unified study of the topic treated in this chapter, but there are some good studies of individual speeches and collections of speeches in which the subject of senatorial oratory and its contrast with oratory in the popular assembly are discussed: Hall (2002) on the *Philippics*, the speeches that give us our best insight into deliberative oratory as it was practiced in the senate; Cape (1995) on the *Fourth Catilinarian* and Cape (2002) on all of Cicero's consular speeches, a chapter in which he presents some counterarguments to the common view that the published versions of those speeches betray major editorial changes made in response to political pressures on Cicero after he laid down the consulship; Batstone (1994) on the *First Catilinarian*; and Nicholson (1992) on the *Post Reditum* speeches.

Especially insightful regarding the way in which the composition of a senatorial speech required agility on the part of the speaker who had to craft his arguments extempore to suit the mood of his audience are Craig (1993b) on Cicero's shifting strategy in the *First Catilinarian* and Hall (forthcoming) on the ever changing positions adopted by Cicero in his *Twelfth Philippic*. On Cicero's political speeches as a whole, MacKendrick (1995) provides chapters on all of them except the *Philippics*. Each chapter presents an outline of the speech, a section on legal matters, and a detailed discussion of rhetorical devices and language. Manuwald (2004) treats the element of performance in Cicero's *Philippics*; Manuwald (forthcoming) examines Cicero's method and aim in selecting for inclusion in a single, unified corpus the various speeches delivered in his political battle against Mark Antony.

A number of recent works not in English also contribute to the topic of this chapter: Blänsdorf (2001), in German, offers a discussion of how improvisation was necessary in the composition of speeches in the senate and at public meetings. Leovant-Cirefice (2000), in French, discusses how in a speech delivered to the people, as opposed to the senate, style and content were influenced by the less homogeneous nature of the audience. Ledentu (2000), in French, provides an up-to-date discussion of the relationship between a published speech and the oral version that lies behind it.

CHAPTER ELEVEN

Panegyric

Roger Rees

A strongly held but unheralded cultural assumption we have inherited from the classical world is our profound suspicion of, even contempt for, panegyric. Generally, to give sustained praise today is to sacrifice one's own integrity, to flatter and lie; the very word "panegyric" and the associated terms "eulogy," "encomium," and "adulation" are, in general usage, tainted with a tone of fretful skepticism; more openly, the panegyrist is a "sycophant," a "crawler," a "creep," a "toady," in Scotland, a "souk." This attitude echoes ancient authors as disparate as Augustine, who condemned his own performances of imperial panegyric at Milan (*Conf.* 6.6.9), Lucian, castigating panegyric as everything respectable historiography should not be (*Hist. Conscr.* 7), and Juvenal, viciously critical of his contemporaries in Rome who sought social advantage for themselves by offering praise (3.41–2).

Perhaps it was this unease about the ethics of praise that encouraged the earliest Latin rhetorical theoreticians to identify the form as essentially Greek. The observation in Cicero's *De Oratore* that *nos laudationibus non ita multum uti solemus* ("we [Romans] are little accustomed to employing panegyric," 2.341) is organized to contrast with the practice of the Greeks, who are said to have written many panegyrics simply for display purposes (2.341). A similar distinction between Roman and Greek usage informs Quintilian's discussion of panegyric (*Inst.* 3.7.1–2). Furthermore, the author of the *Rhetorica ad Herennium* (ca. 86–82 BCE) devotes relatively little attention to this form of oratory, and comments that opportunities for panegyric are infrequent (3.15). According to these commentators, panegyric was a Greek custom for which there was little need in Roman society. Again, Juvenal's outrageous third satire specifically condemns the Greeks for their tendency toward flattery (3.86).

Panegyric was indeed Greek in origin. Praise for victors in games was given in verse in "epinician odes" (such as Pindar's), but the term "panegyric" seems to have come from its origins in prose. A *panegyris* was a plenary assembly, and at such a council a speech could be delivered. So Gorgias, Lysias, and Isocrates each gave speeches at

Olympic festivals in the early fourth century BCE, and Isocrates' *Panegyrikos* came to be the genre's eponym (Nixon and Rodgers 1994: 1–2). Isocrates' *Evagoras* too was profoundly influential, groundbreaking (according to its author; *Ev.* 5–11) for being a prose panegyric of a man only recently deceased (S. Braund 1998: 53–4). The survival, from democratic Athens through to the Second Sophistic, of light-hearted works of praise, in Greek, suggests the form was well known and widely practiced, particularly perhaps in educational contexts (Russell 1998: 22–3). A famous early example is Gorgias' *Encomium of Helen*, a work in defense and praise of one of Greek myth's most damnable characters; or from the Second Sophistic, Lucian's panegyric of a fly, the so-called *Muscae Encomium* (7).

Light-hearted works of praise would be useful as educational exercises since their lack of serious content gave sharp prominence to panegyric method, including argument and style. The argument of panegyric featured too in Greek rhetorical treatises. Aristotle's *Rhetorica* and the anonymous *Rhetorica ad Alexandrum* include outlines of the content of panegyrics. Aristotle focuses his recommendations on virtues, and specifies justice, courage, wisdom, magnificence, magnanimity, liberality, gentleness, prudence, and intelligence; of these, the most important are the first two (*Rh.* 1.9.5–6). It is a central concern of Aristotle's section on panegyric to define the virtues and account for their inclusion – as such, much of it reads more as moral philosophy than rhetorical instruction. Over time, moral virtues came to be seen in Greco-Roman political philosophies as canonical, and panegyrics in both languages were regularly founded on a canon of four virtues, usually justice, courage, temperance and wisdom (Seager 1984; S. Braund 1998: 56–7). Aristotle's main rhetorical recommendation is that the virtues be amplified, that is, expanded, by narrative (of actions and achievements) and comparisons (*Rh.* 1.9.38). The *Rhetorica ad Alexandrum* is less philosophical and more practical in its advice; amplification remains the key ambition for the panegyrist, in an attempt to maximize the positive and minimize the negative content of the speech; and invention is urged, if need be (*Rh. Al.* 3). Thus from democratic and monarchic contexts, Greece left a substantial and varied endowment of panegyric material, in prose and verse, serious and light-hearted, theoretical and applied.

But if Cicero and others were right to identify panegyric as a Greek form, a great deal more was at stake in their discourse of self-fashioning than the choice of language. The Latin authors' insidiously and overtly racist characterizations of panegyric as ethically and ethnically Greek would chime with Roman society's identification of itself as profitably enterprising, practical and industrious. According to the ancient rhetorical taxonomies, oratory came in three genres (Arist. *Rh.* 1.3; *Rhet. Her.* 1.2; Clarke 1996³: 24). Forensic oratory was designed to further the cause of due legal process in prosecution or defense. Deliberative oratory was developed for the purpose of persuasion in matters of political policy. Both forensic and deliberative oratory thus enjoyed an obviously efficacious, civic application which appealed to the Roman republican mindset. The third category, epideictic, also known as “demonstrative” and subdivided into panegyric (“praise”) and its counterpart invective (“blame”), was different. Inherent in it, at least in the early Roman perceptions of its Greek use, was an element of exhibitionism – the rhetorical virtuoso display, with no further societal ambition than to be enjoyed and appreciated of itself (Quint. *Inst.* 3.7.1). To Romans there was something distasteful about the self-indulgence and lack of utility they attributed to Greek epideictic rhetoric.

In the more constructive hands of the Romans, the Latin theoreticians observe, in a self-regarding touch, that aspects of epideictic rhetoric could usefully be incorporated in the practical business of forensic and deliberative oratory, such as when composing character testimonials in legal defense (*Rhet. Her.* 3.15; Cic. *De Or.* 2.341, 349; Quint. *Inst.* 3.7.2; Fronto, *Ep.* 1.1). One outlet for unalloyed panegyric in Roman society these authors readily concede is in the *laudatio funebris* (“funeral laudation”; Kierdorf 1980). Cicero (*De Or.* 2.341) and Quintilian (*Inst.* 3.7.2) mention the custom by name, and in what seems an incidental detail, the author of the *Rhetorica ad Herennium* reveals that the subject of a panegyric might be deceased (3.14; Quint. *Inst.* 3.7.10). The recommendations for *laudatio* from Cicero, Quintilian, and the author of the *Rhetorica ad Herennium* withstand comparison. Each treatise favors particular organizational principles. The *Rhetorica ad Herennium* claims that praise can be of *rerum externarum, corporis, animi* (“external circumstances, body and mind,” 3.10). These categories may trace the subject’s career, from birth, to education, to achievements and character (3.13–14). Cicero distinguishes between *optanda* and *laudanda* (“the desirable” and “the praiseworthy,” *De Or.* 2.342), including birth, good looks, and wealth among the former, and virtues among the latter. A similar distinction underlies the advice of Quintilian, whose recommended structure is to praise the subject either in chronological sequence, from the time before their birth onwards, or according to different virtues (*Inst.* 3.7.10–18). There are some differences in approach here, but essentially the treatises are likeminded: praise consists of an attribution of virtues, taken from a recognized canon, and amplified and illustrated through examples from the subject’s life (and from their later reputation or legacy, if deceased); with many variables at their disposal, a resourceful speaker will never be at a loss for suitable material.

The custom of a funeral oration had Greek precedents in, for example, Pericles’ famous speech for the Athenian dead in Thucydides (2.35–46), but the *laudatio* became a distinctive component of Roman funereal ritual (Cic. *Brut.* 61; Sen. *Suas.* 6.21). The best preserved example, the *laus Turiae*, is the longest surviving private inscription from the Roman world, and dates to the late first century BCE (Kierdorf 1980; Horsfall 1983). The fact that it was inscribed in stone reveals that it was designed to commemorate its subject well after her death, but the praise of Turia cannot be described as rhetorical. Details from other sources suggest that some *laudationes funebres* were deliberately published and preserved (Polyb. 6.54.1; Cic. *Brut.* 61), and it is clear that many such were rhetorically elaborate (Plin. *HN* 7.139; Tac. *Ann.* 13.3). An example is that given at the public funeral of the distinguished soldier and statesman Verginius Rufus in 97 CE. Pliny records that it was delivered by the consul Tacitus, unashamedly described in this context as a panegyrist: *laudatus est a consule Cornelio Tacito; nam hic supremus felicitati eius cumulus accessit, laudator eloquentissimus* (“he was praised by the consul Cornelius Tacitus; for this was the ultimate crown for Verginius’ good fortune, to have the most eloquent man to give praise,” *Ep.* 2.1.6). The Roman *laudatio funebris* may have had close similarities to the rhetoric of classical Greek panegyrics but they remained quite different in function, and therefore, ethic. The function of the panegyric funeral speech was ritualistic, ornamental, and commemorative; the speech of pure panegyric to the living is presented in surviving Latin sources as essentially alien to Roman practice.

Cicero, Quintilian, and other theoreticians from the late republic and early empire would have been surprised then, even dismayed, that in later antiquity, Latin panegyric to a living subject would be flaunted as a recognizable stamp of Roman sophistication. The latest classical Latin prose panegyric to survive to us complete comes from the late fourth century. Its author, Pacatus, had traveled to Rome in 389 CE to deliver his speech of praise to the emperor Theodosius; in particular Pacatus celebrates the imperial victory the previous year over Magnus Maximus, a usurper who had held power in Pacatus' own Gaul (Nixon and Rodgers 1994: 437–516). The speech, then, can be seen primarily as a flamboyant expression of the political loyalty of Gaul to the Roman emperor; and to complement this, as a sustained display of Pacatus' rhetorical ability, and by extension, Gaul's assured *Romanitas*. To stand in Rome before the emperor and deliver a panegyric in stylized Latin, sparkling with references to Roman icons and landmarks such as (among many), Cicero (*Pan. Lat.* 2[12]1.4), Vergil (2[12]4.4), Scipio Africanus (2[12]8.4), Augustus (2[12]11.6), and the battle of Actium (2[12]33.1) was, for this visitor from across the Alps, to participate conspicuously in Roman culture. Over the next two decades, the royal house of Theodosius was to be the subject of several surviving hexameter panegyrics by Claudian, frequently acclaimed by moderns as the last great classical Latin poet, despite the fact that he too, as a Greek speaking North African, came to the imperial court of the Latin west as something of an outsider (Cameron 1970). Meantime, in the late fourth century, diehard Roman conservatives like Symmachus could practice Latin panegyric. Of course, panegyrics in Greek were still flourishing in the fourth century, with the authors Julian, Themistius, and Libanius prominent in the field, but panegyric was securely established as a regular and important genre in Latin oratory and Roman high culture. Whatever the protestations of the earliest commentators, in the conditions of the late republic and empire, Latin panegyric found an environment in which it could begin to flourish. Despite consistent ethical unease, panegyric, originally denounced as Greek, became Roman.

The Republic

A major challenge in considering the history of Roman panegyric, with its unusual mix of continuities and reversals, lies in the patchy record of survival. Put simply, not many speeches have been passed down. The earliest panegyric we have is the *Panegyricus* of the younger Pliny, dating to 100 CE (Durry 1938). However, if we investigate the claim made by the Latin theoreticians that Romans found a practical application for epideictic rhetoric in forensic and deliberative contexts, we find much earlier “panegyric.” As with much Roman rhetoric, our key evidence here is Cicero. His earliest political-deliberative speech is known by two names, *Pro Lege Manilia* and *De Imperio Cn. Pompei*. Dating to 66 BCE, it was given to the Roman assembly in support of the bill proposed by Gaius Manilius to grant to Pompey unrestricted military powers in his campaign against Mithridates.

The speech is carefully structured, moving from an explanation of why the war is necessary, to the nomination of Pompey as the general to conduct it, to a refutation of counterarguments. Cicero's recommendation of Pompey (*Leg. Man.* 27–50) dominates the speech and includes many of the strategies and tropes that came to

characterize the genre. Two such are comparison and aretology. In panegyric, the orator would compare his subject with others, good or bad, real or fictional, contemporary or not (Maguinness 1932: 45–61). The attraction of the strategy is that it would state or imply a standard to which the audience might better relate and against which the subject of the speech would measure up well. Cicero uses comparison to assert how uniquely well qualified Pompey is in military affairs, setting him against contemporaries and even predecessors (*Leg. Man.* 27). The subsequent aretology (catalogue of virtues) specifies Pompey's particular qualities, *scientiam rei militaris, virtutem, auctoritatem, felicitatem* ("military knowledge, courage, authority, success," 28). Taking each of these virtues in turn over the next twenty chapters, Cicero provides illustrative examples from Pompey's career. This is not intended to be a comprehensive account of Pompey's campaigns – this would not be necessary, as Cicero could rely on his audience's knowledge of such matters – but the sequence has the appearance, at least, of a compelling case, in which an ethical claim (the aretology) is substantiated by evidence (the narrative). Organized in this way into a rational argument, the case for Pompey's excellence is proven (Quint. *Inst.* 3.7.4–6).

The importance of testimonial to Cicero's panegyric argumentation is manifest in a passage reproduced here to illustrate the style of the speech. Cicero cites various witnesses to Pompey's military record:

testis est Italia, quam ille ipse victor L. Sulla huius virtute et subsidio confessus est liberatam; testis Sicilia, quam multis undique cinctam periculis non terrore belli, sed consilii celeritate explicavit; testis Africa, quae magnis oppressa hostium copiis eorum ipsorum sanguine redundavit; testis Gallia, per quam legionibus nostris iter in Hispaniam Gallorum internecione patefactum est; testis Hispania, quae saepissime plurimos hostes ab hoc superatos prostratosque conspexit. (Cicero, *Pro Lege Manilia* 30)

Bearing witness is Italy, which that conqueror Sulla himself admitted had been liberated by [Pompey's] courage and help; bearing witness is Sicily, which when surrounded on all sides by multiple dangers, Pompey calmed not by fear of war but by the speed of his stratagem; bearing witness is Africa, which crushed by great enemy forces, overflowed with their blood; bearing witness is Gaul, through which a route to Spain was opened for our legions by a massacre of Gauls; bearing witness is Spain, which most often saw the most enemies beaten and laid low by this man.

In his later work *Orator* Cicero cited this speech as an example of the "middle style," the goal of which was *suavitas* ("charm," 91, 102). The passage above certainly has its charms. It is crisp, the clauses short, the diction generally plain. Considerable elevation is achieved, however, by arrangement: the epanaphora of *testis* ("witness") combined with the geographical personifications; the repeated pattern of expansive relative clauses, of similar length; the positioning of perfect tense verb forms; chiasmus (*terrore belli, consilii celeritate*); alliteration (*consilii celeritate*); assonance (*superatos prostratosque*); all such conceits of sound and structure embellish the argument in a way which may excuse its hyperbole.

Manilius' bill was passed with a comfortable majority, and probably would have been even without Cicero's help. One reason why the speech is important in the history of Roman oratory is because it is our earliest example of the application of epideictic rhetoric to specifically political-military affairs. Cicero has trimmed his sails

accordingly: the aretology of Pompey, for example, emphasizes military qualities, when the canon of virtues as passed down from Greece to Rome for discussion in panegyric embraced others, such as moderation and sense of justice. Cicero, then, had the versatility to employ in this deliberative context aspects of epideictic rhetoric which would serve his purpose. But if this can be seen as an example of Roman practicality, it also demonstrates how rhetoric traced the contours of politics, as the *Pro Lege Manilia* argued for and celebrated the unprecedented concentration of powers in one man. Roman panegyric would find particular voice amid the death pangs of the republic, as some of Cicero's Caesarian speeches further attest.

With the collapse of the machinery of republican government, *eloquentia obmutuit* ("eloquence fell silent," *Brut.* 22), Cicero said. Certainly there would be less scope for forensic and deliberative oratory, with the monarch often functioning as judge and autocrat. But there would be a new role for epideictic, and at the same time as he wrote his *Brutus*, Cicero was composing his Caesarian speeches. The Caesarian speeches are the *Pro Marcello* and *Pro Ligario* of 46 BCE, and the *Pro Rege Deiotaro* of the following year (Gotoff 1993a). Technically, they are our last surviving republican works, but they can also be read as our first imperial – or at least, dictatorial – speeches. In each case, Cicero praises Caesar, essentially for his willingness to forgive his former opponents. The *Pro Ligario* and *Pro Rege Deiotaro* plead for forgiveness for their subjects for their allegiance to Pompey, and use commendation of Caesar (the judge) as leverage. The *Pro Marcello* was a *gratiarum actio* ("speech of thanksgiving") for Caesar's clemency toward Marcellus, a supporter of Pompey. In the sense that it was a display of gratitude, not leading up to a vote or a judgment, it could be classified as purely epideictic, but given that it was Cicero's first appearance before the senate for over two years, we might have reason to suppose he had significant motives for speaking. First, as a former Pompeian himself, a public expression of loyalty to Caesar would perhaps do Cicero no harm. Secondly, the speech could be used as an opportunity to try to influence Caesar's politics. Cicero moves from Caesar's virtue of clemency to a grand and flattering character sketch; this character is presented as an example of the wider program of recovery and restoration for Roman society (*Marcell.* 23), and even as a token of the commitment to reestablish the republic (27). If phrased carefully and then publicized, praise of Caesar's clemency could function as a demand for further acts of forgiveness, in that it would render it undiplomatic for Caesar to behave otherwise (a function of panegyric noticed by Aristotle, *Rh.* 1.9.36). As such, panegyric could be thought to have an advisory, even coercive capacity, and could therefore have particular value when delivered early in a government's time in office (S. Braund 1998: 68–71).

But if it was precisely the fact of demonstration, that is, the original performance context and subsequent publication, which gave Cicero much of his purchase in his Caesarian speeches, it is interesting that in private correspondence too he voiced his praise for Caesar's clemency toward Marcellus (*Fam.* 6.6). This might indicate that the support shown to Caesar by this former Pompeian was genuine. But certain details in the *Pro Marcello* have been interpreted as indicators of a more sinister ambition on Cicero's behalf. Grand expressions of approval of Caesar could really signal contempt for the new regime and provoke a wider sense of outrage that Caesar could be thought to be owed both gratitude and praise (Dyer 1990). Cicero observes in his *De Amicitia* that a man is *excors* ("stupid") if he does not recognize open

adulation for what it is and thus is humiliated in the process (*Amic.* 99; Ahl 1984: 199). A good example of the deceptive quality of praise concerns Caesar's mortality. The presentation of leaders as gods was problematic in Roman society, and panegyric in particular, which had exaggerated claims as its regular currency, seems to have worried over the issue (Rodgers 1986; Levene 1997). Given the contested nature of claims to divinity, Cicero's remark *tuus animus...semper immortalitatis amore flagravat* ("your soul always burned with love for immortality," *Marcell.* 27) could be seen by some as a sincere celebration of Caesar's superhuman status, but by others as an exposure of his vanity (Dyer 1990; Levene 1997: 68–9). The role of the audience-reader is vital here when the intention and ambition of the speech are so slippery (Gotoff 1993a: xxx; Lockwood 1996: 28–31).

The High Empire

The honesty and sincerity of his speech exercised the younger Pliny, the author of the earliest surviving Latin panegyric from the imperial period. A passage from early in his *Panegyricus* shows this concern:

non enim est periculum ne, cum loquar de humanitate, exprobrari sibi superbiam credat; cum de frugalitate, luxuriam; cum de clementia, crudelitatem; cum de liberalitate, avaritiam; cum de benignitate, livorem; cum de continentia, libidinem; cum de labore, inertiam; cum de fortitudine, timorem. (Pliny, *Panegyricus* 3.4)

There is no danger that when I speak of his humanity he will think arrogance is being criticized; that when I speak of his frugality, he will think extravagance, of his forgiveness, cruelty; of his generosity, greed; of his kindness, jealousy; of his restraint, lust; of his industriousness, laziness; of his bravery, fear.

When elaborated at such length, the question of why Pliny would worry about a skeptical interpretation of his sincerity demands attention (see also *Pan.* 2.1–2, 53.6, 68.7). In part, his claim for the transparency of his speech functions as a comparison with the false oratory under Domitian (Bartsch 1994: 148–66). Pliny is explicit about the value of comparison in a speech of praise (*Pan.* 53.1), and much of the commendation of Trajan in the *Panegyricus* is given salt by denigration of the demonized emperor, only four years dead in 100 CE (S. Braund 1998: 64–5; Rees 2001: 152).

Secondly, in this assertion of his own sincerity, Pliny was perhaps attempting to head off suspicion associated with the whole genre of thanksgiving (*gratiarum actio*) as panegyric. His speech was given in thanks for the suffect consulship. No earlier speeches of this type survive, but it seems to have been regular procedure from the time of Augustus onward (Ov. *Pont.* 4.4.35–9; Nixon and Rodgers 1994: 3). Pliny confirms this in his letters: the delivery of such a speech of thanks for the consulship before the senate was customary (*Ep.* 3.18.1); but the content of such speeches was *nota, vulgata, dicta* ("well-known, understood, and said before," 3.13.2); as such, it tended to bore its audience (3.18.6). And although Quintilian, whose lectures Pliny attended (6.6.3), does not specifically advise on how to give praise to the emperor in thanks for the consulship, it may well be that the customary consular *gratiarum actio*

carefully adapted recommendations of treatises such as his on panegyric (*Inst.* 3.7.10–18; cf. Russell 1998: 28). The codification of good practice might limit initiative and further add to the reality or perception of the genre's formulaic nature. Pliny's speech, together with the two letters which serve as commentary on it (*Ep.* 3.13, 3.18), show how ingrained panegyric had become in Roman society by the late first century CE. According to Pliny's observations, there is less a suggestion that panegyric was generically suspect than that its practitioners were uninspired or corrupt at the time. By admitting and confronting these problems, Pliny hoped to assert the honesty and sincerity of his own speech (Levene 1997: 103). At the same time, in a brilliant ruse, Pliny attributes the sincerity of his own praise to Trajan's insistence on freedom of speech (Morford 1992: 584–93). Confession and confrontation do not prove honesty, but they do at least provide some resistance to any potential counterclaims. (See chapter 24 for an opposing view.)

Like Cicero's Caesarian speeches, the *Panegyricus* dates to early in its regime, and was perhaps intended to exert political influence (S. Braund 1998: 65–8). The speech is colossal (Radice 1968). The text is not that delivered before Trajan on September 1, but a revised form, considerably expanded. This elaboration was deemed by Pliny *convenientissimum* ("most appropriate," *Ep.* 3.18.1) for a loyal citizen. His stated ambition was twofold: to commend in Trajan, with true praise, his own qualities, and to record for future emperors Trajan's example of the road to glory (3.18.2). But it is not clear that Trajan had access to the revised version of the speech, and it is hardly likely that he or any later emperors read through its ninety-five chapters. Nor should we consider it chance that this expanded and embellished panegyric is the first such imperial work to survive. Pliny was very pleased with his speech and clearly took pains himself to ensure that others would have the opportunity to read it.

In his two letters about the speech, Pliny is most pleased with its style (Gamberini 1983: 337–448). He writes approvingly of its *ordo*, *transitus*, and *figurae* ("arrangement, transitions, and figures of speech," *Ep.* 3.13.3); of how a speech ought to raise and lower its tone (3.13.4); and of how it was composed in a *laetioris stili* ("happier style," 3.18.10). Stylistic ornamentation is conspicuous in the passage quoted above: the repeated and pared structure of *cum de* followed by ablative and accusative abstract nouns; each phrase articulating an antithesis, but with an alert ear for the sounds and rhythms of clause length, variable chiasmic arrangement of declensions, even fleeting alliteration and assonance; and overall the sentence's carefully wrought cadence modulates the contrapuntal ethical terms. The rhetorical device of epigrammatic antithesis features frequently in the speech and mirrors at a stylistic level the structural principle of comparison between Trajan and earlier emperors (Rees 2001). Modern readers tire of the speech (Fedeli 1989), but it was to prove influential in late antiquity, the *floruit* of Latin panegyric.

Late Antiquity

The biggest single corpus of Latin epideictic, known as the *Panegyrici Latini*, consists of twelve speeches (Mynors 1964). The earliest is Pliny's *Panegyricus*; the other eleven span one hundred years from 289 CE to Pacatus' speech of 389 (MacCormack 1975, 1976; Gervás 1991; L'Huillier 1992; Nixon and Rodgers 1994). There is a

cluster of nine speeches from the late third and early fourth centuries (Nixon 1983; Rees 2002); one speech to the emperor Julian in 362, and Pacatus' to Theodosius. The only other Latin panegyric speech to survive intact from the Roman empire is Ausonius' *gratiarum actio*, delivered in thanks for Ausonius' consulship to the emperor Gratian in 369 (Green 1991). Also from the late fourth century, substantial fragments of three panegyrics by Symmachus survive (Pabst 1989). Thirteen complete and three incomplete speeches, unevenly distributed over three centuries and originating across a huge geographical range from Gaul, Rome, and Constantinople, make a meager and difficult sample. The related questions of why the sixteen panegyrics survive (in fragments or complete), and how representative they are of what is lost, are central to appreciation of the history of the genre.

In the early empire it seems that most formal panegyrics were *laudationes funebres* or *gratiarum actiones* (for the consulship). The evidence of Fronto indicates that other occasions could feature too; he gave a *gratiarum actio* for his suffect consulship in the summer of 143 CE, but adds in the same letter that preserves this detail that he had often praised Hadrian in the senate, and that copies of those speeches were still held by everyone (Fronto, *Ep.* 2.1; Russell 1998: 44–5). Analysis of the circumstances of delivery of the fifteen Latin panegyrics from the late third and fourth centuries reveals a changed pattern. A *gratiarum actio* for the consulship would still be given (such as the speeches of Claudius Mamertinus in 362, *Pan. Lat.* 3[11], and Ausonius in 379); but anniversaries of imperial accession, imperial victories, imperial weddings, the birthday of Rome, and the birthday of the provincial host city, were all occasions warranting a panegyric (Nixon and Rodgers 1994: 4–5; Rees 2002: 17–19). The anonymous author of a speech delivered to Constantine and Maximian in 307 says that the emperors' acts of generosity could be celebrated on *multis occasionibus diversorum temporum* ("many celebrations of various occasions," *Pan. Lat.* 7[6]1.2). By late antiquity, the city of Rome had lost its magnetic hold on the emperor, whose itineraries frequently took him to provincial capitals such as Trier, Milan, and Nicomedia. An elaborate reception would welcome his *adventus* ("arrival") and would include the delivery of a panegyric (MacCormack 1972, 1981; Rees 2002: 6–11). With such a range of occasions and places for the performance of panegyric, literally thousands must have been delivered; the survival rate is, therefore, very poor.

A combination of reasons can account for this. First, if its ambition is essentially display, once delivered, an epideictic speech has effectively fulfilled its purpose; only in exceptional circumstances will it have a post-performance afterlife. For provincial orators across the empire, it will have been enough to be seen and heard to deliver a panegyric, and the survival of the text would have been of little wider consequence. A second reason for the poor survival record is that few speeches would have been considered particularly accomplished anyway; although epideictic rhetoric flourished in late antiquity's culture of heightened ceremonial, the ethics of panegyric remained suspect in the eyes of most critics, and not just Christians such as St Augustine. With court ceremonial's increase in demand for panegyrics, most orators no doubt were forced into service, and trotted out the formulae of treatises and textbooks, with little in the way of sparkle, so again incentive would be lacking to publish the text. Looked at in this way, the question is not so much why so few survive, but why so many.

Like Pliny with his *Panegyricus* and Fronto with his speeches to Hadrian, it seems likely that Ausonius' *gratiarum actio* and Symmachus' panegyric orations survive because their authors, eminent literati both, took pains to ensure they did. The authors of the other surviving Latin panegyrics are less well known, most in fact anonymous. Modern orthodoxy has it that Pacatus compiled the collection of twelve *Panegyrici Latini* (Pichon 1906b; Nixon and Rodgers 1994: 3–8). Pliny's speech to Trajan is placed first in the manuscript, perhaps to be a model of panegyric writing. The other eleven were all delivered in Gaul or by Gallic orators. Perhaps the collection was designed to be an anthology of Gallic Latinity, at once a demonstration of loyalty to the imperial center and, in its literary sophistication, a valuable resource for emulation and a token of Gaul's complete acculturation (Woolf 1998: 1–7). It is quite possible, therefore, that the fifteen panegyrics from late antiquity are hardly a representative sample of the genre as it was practiced in the cycle of urban life throughout the empire.

If the names of many of the authors of the panegyrics are lost to us, it is still possible to discern in the speeches something of their personal circumstances (Nixon 1983). In incidental details usually given in the introductory chapters, the speeches reveal that the orators were not in active imperial service, such as the various administrative offices. Some worked in education as professors of rhetoric, for which Gaul enjoyed a good reputation. Such prosopographical asides would suggest that these men were not those best placed to function as imperial propagandists. Certainly the speeches can mirror the ideological content of media such as numismatic iconography and legends, and the speech of 310 includes our earliest attestation of the claim that the emperor Constantine was descended from the third century emperor Claudius Gothicus (*Pan. Lat.* 6[7]2.2). Clearly this orator must have had the emperor's advance approval for the announcement. But to balance this identification of propagandistic content, some of the speeches in fact make a specific request of the emperor, such as for investment in a rebuilding program at Autun, by the same orator of 310 (6[7]22); taking on the role of civic petition, speeches like this stretch the function of panegyric oratory beyond the purely epideictic or propagandistic. The element of flattery in these panegyrics is better understood as the most plausible means the orator could devise to secure his agenda than as evidence for central control over what was said (Rees 2002: 23–5).

The speeches do not match Pliny's in length, and there is no evidence of a process of revision, so they may survive as originally delivered. Their relative brevity was perhaps dictated by the circumstances of delivery: an orator from 311 speaks of men sent from all cities on public duty, a detail which might suggest that the emperor was to hear several speeches that day (*Pan. Lat.* 5[8]2.1); in 297 an orator acknowledges his need to be mindful of the time since he was speaking *Caesare stante* ("while the emperor is standing," 8[4]4.4). The nine surviving speeches from 289 to 321 in particular tend to avoid elaborate digression; some are particularly tightly structured. The speech delivered to Maximian on April 21 in 289 CE in Trier is a case in point (10[2]). It is fourteen chapters long. It moves quickly from mention of Rome's birthday (the ostensible reason for the speech) to an account of Maximian's birth, early career, accession to the throne, and imperial successes to date (10[2]1–6); amplification is found in consideration of the empire's state under Maximian's rule and comparisons with figures from history, myth, and the gods (10[2]7–11); future

successes are foreseen (10[2]12) before the orator neatly returns to references to Rome in the closing two chapters (10[2]13–14; Rees 2002: 27–67). The emperor's virtues feature in the speech but are used selectively and unobtrusively.

A lack of rhetorical control certainly compromises some of the speeches, most notably those of Nazarius and Pacatus, who are both guilty of over-elaboration (4[10] and 2[12]); but others are lucid and careful in expression, and with figures and phrases from Pliny and Cicero, aim at a classical elegance. The *Pro Lege Manilia*, *Pro Marcello*, and *Panegyricus* were all used to a considerable extent (Nixon and Rodgers 1994: 14–19), but not slavishly, and nor do the speeches rigorously adhere to the structural recommendations of the late third century treatise, the *Basilikos Logos* of Menander Rhetor (Russell and Wilson 1981; Russell 1998: 45). Menander's is the only treatise specifically dealing with imperial panegyric, so although it is in Greek and there is no evidence that it was consulted by the authors of the surviving Latin panegyrics, its late date makes it a useful point of reference in consideration of them (Vereeke 1975; Nixon and Rodgers 1994: 10–14). Amplification of the emperor's good qualities is the basic recommendation (Men. Rhet. 368, 373), and comparison and narrative of actions are still core components (372–3, 377), but one distinctive feature of the *Basilikos Logos* which differentiates it from the treatises of earlier antiquity is its willingness to merge genres. In particular, aspects associated with the prestige genres of historiography and epic are impressed on the orator as suitable for inclusion (Russell 1998: 49): Herodotus, Thucydides, and Xenophon are cited as models for descriptions and narratives relating to the emperor's military successes (Men. Rhet. 373); Homer's grandiloquence can provide inspiration for the introduction (369) and for characterization (374). Menander also recommends what he identifies as the recent innovation of epic prosopopoeia in panegyric, giving examples from Homer (374).

This stylistic elevation of panegyric would suit the heightened ceremonial of delivery (Walker 2000), and the Latin speeches are rich in such flourishes. For example: springtime is apostrophized as blessed for heralding the accession of an emperor, in measured cola with poetic diction (*Pan. Lat.* 8[4]3.1; Rees 2002: 108–10); ecphrasis of a wallpainting embellishes an orator's assertion of another emperor's early election to office (7[6]6; MacCormack 1981: 270–1; Rees 2002: 169–71); the city of Rome is given voice, appealing to a retired emperor to take up office again (7[6]11.1–4; Maguinness 1933: 129–30; Russell 1998: 31–2); historic infinitives (usually associated with Latin historiography) are used to narrate the events surrounding an imperial *adventus* (11[3]10.5); poetic and prose intertexts feature too, in paraphrastic and quoted form, to further embellish the speeches (Nixon and Rodgers 1994: 16–19). Pliny's penchant for epigrammatic concision is not much evident, but his and Cicero's use of mannered and short clauses in catalogue was frequently emulated. Nazarius' description of the good effects of Constantine's victorious entry into Rome is an example of the combination of established rhetorical arrangement and poetic decor:

duci sane omnibus videbantur subacta vitiorum agmina quae urbem graviter obsederant: scelus domitum, victa perfidia, diffidens sibi audacia et importunitas catenata. furor vinctus et cruenta crudelitas inani terrore frendebant; superbia atque arrogantia debellatae, luxuries coercita et libido constricta nexu ferreo tenebantur. (*Panegyrici Latini* 4[10]31.3)

Certainly everybody thought that the train of vices which had blockaded the City grievously had been conquered: Crime was tamed, Treachery conquered, Impudence (which cannot trust itself) and Insolence in chains. Fettered Fury and bloody Cruelty gnashed their teeth without causing fright; Haughtiness and Arrogance were subdued, Luxury held back and Lust held tight in iron bonds.

The passage is clearly an indulgent amplification. Clauses, catalogued in asyndeton, are variously fully expressed and elliptical; nouns and participles are arranged in chiasmic variations, sometimes enhanced with alliteration; ablative pairs expand the imperfect verb forms; all such rhetorical effects had precursors in Cicero and Pliny and signal Nazarius' debt to those prose models. Yet the passage has even greater flamboyance for its use of abstract nouns, further elevated in personification, in a Vergilian manner. Echoes of canonical passages from the *Aeneid* establish the frame of reference, and the figure is amplified in typical panegyric manner (Rees 2004b: 42–3).

The evolution of Latin panegyric had seen it become mainstream, having been marginal. Originally classified by Romans as Greek, panegyric was to become a stamp of Roman imperial culture. In social function, rhetorical arrangement, and literary style, the Latin panegyrics of late antiquity had both continuities and breaks with the past. Nazarius could, at the same time, be both Ciceronian and Vergilian. Perhaps few orators in late antiquity were equally elaborate – given the surviving record, it is impossible to know. But we might guess that neither Cicero nor Vergil would have been terribly impressed that epic epideictic could now be flaunted as a hallmark of *Romanitas*.

FURTHER READING

The panegyric speeches of Cicero, the younger Pliny, Fronto, and Ausonius appear with facing English translations in the Loeb series. For Cicero, Gotoff (1993a) enlightens the style of the Caesarian speeches; for the *De Imperio* MacDonald's (1966) edition and commentary remains very accessible. Pliny's *Panegyricus* is less well served, with Durry's (1938) work in French still the standard commentary. For English translations of the *Panegyrici Latini*, together with introduction, Latin text, and historical commentary, see Nixon and Rodgers (1994). Galletier's (1949–55) three-volume French translation and commentary has some sensitive observations. Symmachus' speeches have been edited and translated into German by Pabst (1989). Green (1991) includes text and commentary for Ausonius' *gratiarum actio*. Janson's (1979) concordance is a useful resource for imperial panegyrics.

Latin panegyric is generally less well served in modern secondary literature than Greek, and much of what has been written is negative. Pliny's *Panegyricus* has received a particularly hostile reception among modern scholars: see Fedeli (1989), in Italian, and Rees (2001). The general surveys of Roman rhetoric by Clarke (1996³: 143–7) and Kennedy (1972: 543–6) devote a little space to panegyric. Although focusing on Greek, there are very useful overviews of aspects of Roman panegyric in Burgess (1987) and Pernot (1993), in French.

Most monographs and lengthy treatments of Roman panegyric have been published in languages other than English. The first, by Pichon (1906a), in French, was an attempt to situate late antique panegyric in its context within the empire; also in French, Burdeau (1964) considers the presentation in the later speeches of the emperor and L'Huillier (1992) uses

lexical statistics as a basis for ideological and stylistic observations. Mause (1994), in German, considers kingship in a wide survey of Latin panegyric literature. Lassandro (2000), in Italian, considers the image of the emperor in late antique oratory; D'Elia's (1960–1) lengthy Italian article covers a wide range of aspects of two late panegyrics. The best book-length introduction to the *Panegyrici Latini* is Gervás (1991), in Spanish. In English, MacCormack (1975) remains a valuable introductory article; her later monograph is an illuminating discussion of the function of panegyric within the court ceremonial of late antiquity (MacCormack 1981). Rees (2002) considers the five speeches between 289 and 307 CE, relating each to its political context. The literary merits of Latin panegyric have rarely been heralded; an exception is Russell (1998), a collection which includes other articles on the genre.

This discussion has been limited to prose panegyric. There also developed a rich tradition of verse panegyric in Latin, employing a full range of rhetorical conceits. Statius and Claudian are the best known; the anonymous *laus Messallae* and *laus Pisonis* are rarely read. Texts and translations of all are available in the Loeb series.

CHAPTER TWELVE

Roman Oratorical Invective

Valentina Arena

Invective in Rhetorical Treatises

Invective, according to the definition provided by Koster (1980: 38–9, 354), is a literary genre whose goal is to denigrate publicly a known individual against the background of ethical societal preconceptions, to the end of isolating him or her from the community. In the Latin rhetorical tradition, *vituperatio* (“invective”), together with its opposite *laus* (“praise”), belongs to the principal topics that make up the *genus demonstrativum*, or epideictic oratory. A brief discussion of this genus can be found in Cicero’s youthful work *De Inventione* (2.177–8) and in the almost contemporary treatise *Rhetorica ad Herennium* (3.10–15). The latter presents a more extensive treatment of the three broad categories which can be used to shame the chosen target: (1) external circumstances, which include birth, education, wealth, power, achievements, and citizenship; (2) physical attributes such as looks, health, speed, strength, and weakness; (3) qualities of character, or *virtutes animi*, such as wisdom, justice, courage, and self-restraint (for a brief list of such *loci* see Cic. *Part. Or.* 82). This kind of verbal assault, conducted through an open recounting of the target’s faults and organized according to these *loci*, was often employed in judicial and deliberative speeches with the aim of turning the audience against its target. Invective was thus an ingredient in forensic and deliberative oratory and not an end in itself (Powell 2006). As noted in *Rhetorica ad Herennium*:

et si separatim haec causa minus saepe tractatur, at in iudicialibus et in deliberativis causis saepe magnae partes versantur laudis aut vituperationis. quare in hoc quoque causae genere nonnihil industriae consumendum putemus. (*Rhetorica ad Herennium* 3.15)

If this kind of oratory [epideictic] is only seldom employed by itself independently, nevertheless in judicial and deliberative contexts extensive sections are often devoted to praise or censure. Let us believe then that some of our hard work must be spent on this kind of speaking.

Given the extremely broad content of these invective *loci* in the theoretical treatises, modern scholars have attempted to identify a more detailed set of categories employed in practice by Greek and Roman speakers. The following list, compiled by Craig (2004: 190–1), comprises seventeen conventional *loci* of invective: (1) embarrassing family origins; (2) being unworthy of one's family; (3) physical appearance; (4) eccentricity of dress; (5) gluttony and drunkenness, possibly leading to acts of *crudelitas* ("cruelty") and *libido* ("lust"); (6) hypocrisy in appearing virtuous; (7) avarice, sometimes linked with prodigality; (8) taking bribes; (9) pretentiousness; (10) sexual conduct; (11) hostility to one's family; (12) cowardice in war; (13) squandering one's patrimony, or financial embarrassment in general; (14) aspiring to *regnum* or tyranny, often associated with *vis* ("violence"), *libido*, *superbia* ("arrogance"), and *crudelitas*; (15) cruelty to citizens and allies; (16) plunder of private and public property; (17) oratorical ineptitude. It is important to remember, however, that these are categories identified by modern scholars; in ancient rhetorical treatises invective does not appear as a genus in itself. Invective, as its etymology shows, was originally a cavalry charge, and therefore, in its metaphorical meaning, "the launching of an attack" against an opponent (Powell 2006). In the strict sense only speeches delivered, or supposedly delivered, as a direct attack against an individual should be considered invective. Among our extant speeches, these would include the *In Vatinium*, which presents the interrogation of a prosecution witness, Publius Vatinius, in Cicero's defense of Sestius in 56 BCE; the *In Pisonem*, Cicero's response to fierce criticisms leveled against him by Piso in the senate in 55 BCE; and the *Second Philippic*, an attack on Antony composed by Cicero in the form of a senatorial speech, but never actually delivered. However, if we are prepared to broaden our definition, speeches whose first aim was not to attack the opponent directly, but to discredit him or her in order to achieve a specific persuasive goal, might also be considered invective. Thus, for example, Cicero's speeches against Verres form part of the prosecution of the corrupt governor of Sicily, and so are not strictly speaking a direct denunciation of him. Nonetheless they present very effective attacks against the man and his administration of the province, and to this extent passages within them might be regarded as invective.

The Functioning of Invective

Invective was often a crucial factor in an orator's success, whether he was speaking in a judicial prosecution or defense or a political battle fought in the senate or popular assembly (*contio*). This is because the highlighting of an individual's faults in an abusive or humorous manner provided a powerful means of manipulating the audience's emotions. Rather than supplying logical proofs, invective adds *pathos* to *logos* and turns the audience against the orator's opponent and toward his own cause (cf. Cic. *Part. Or.* 71). As Antonius states bluntly in *De Oratore*, after winning the attention of his listeners, nothing is more important for the orator than to manipulate their emotions:

plura enim multo homines iudicant odio aut amore aut cupiditate aut iracundia aut dolore aut laetitia aut spe aut timore aut errore aut aliqua permotione mentis, quam veritate aut praescripto aut iuris norma aliqua aut iudici formula aut legibus. (Cicero, *De Oratore* 2.178)

For men decide on the majority of issues far more on the basis of hatred or affection or partiality or anger or grief or joy or hope or fear or delusion or some other emotional impulse, rather than on the truth or an objective rule, whether some legal standard or a formula for a trial or the laws.

Humorous invective was one of the most important ways of manipulating the audience's feelings (cf. Quint. *Inst.* 10.1.107). For laughter strengthens the orator's case by winning the favor and admiration of the audience, and by showing him to be a man of polish (Cic. *De Or.* 2.236). It also hampers the opponent's argument, trivializes his cause, and can even deter him from speaking. The effect of humorous invective is thus twofold: it denigrates the opponent while simultaneously asserting the speaker's superiority. Cicero was famous for his witticisms during his own lifetime when at least three collections of his sayings were in circulation (see chapter 16; Cic. *Fam.* 7.32, 15.21.2; Quint. *Inst.* 6.3.5; Macrob. *Sat.* 2.1.12; cf. Plut. *Cic.* 26–7).

The Speaker and His Opponent

In a letter to his friend Atticus, Cicero recounts a heated exchange that had recently taken place in the senate between Publius Clodius Pulcher and himself:

surgit pulchellus puer, obicit mihi me ad Baias fuisse. falsum, sed tamen. “quid? hoc simile est” inquam “quasi in operto dicas fuisse?” “quid” inquit “homini Arpinati cum aquis calidis?” “narra” inquam “patrono tuo, qui Arpinatis aquas concupivit” (nosti enim Marianas). “quousque” inquit “hunc regem feremus?” “regem appellas” inquam, “cum Rex tui mentionem nullam fecerit?” – ille autem Regis hereditatem spe devorarat. “domum” inquit “emisti.” “putes” inquam “dicere ‘iudices emisti.’ ” “iuranti” inquit “tibi non crediderunt.” “mihi vero” inquam “xxv iudices crediderunt, xxxi, quoniam nummos ante acceperunt, tibi nihil crediderunt.” magnis clamoribus adflictus conticuit et concidit. (Cicero, *Epistulae ad Atticum* 1.16.10)

Our pretty little boy [Clodius] stands up and accuses me of having been at Baiae – a lie, but anyhow. “What?” I reply, “Is this the same as saying that I intruded on the Mysteries?” He says, “What business has a man from Arpinum with the hot springs?” “Tell that to your counsel,” I say. “He has longed for springs that belonged to an Arpinum man” (you know Marius’ place of course). He says, “How long are we going to put up with this king?” “You mention a king,” I say, “when Rex made no mention of you [in his will]?” (He in fact had hoped that he might swallow up Rex’s money.) “So you’ve bought a house,” he says. I reply, “You’d think he was saying: ‘you’ve bought a jury.’ ” He says, “They didn’t credit you on oath.” “On the contrary,” I reply, “twenty-five jurymen gave *me* credit and thirty-one, since they accepted money beforehand, gave *you* none.” Overwhelmed by the roars of applause, he collapsed and fell silent.

This lively account conveys something of the flavor of Roman political life: combative, confrontational, and highly personalized. As we shall see, it was in part this dynamic, abrasive environment that encouraged the development of oratorical invective in Rome. While speeches of vituperation had a long tradition in Greek oratory, their extensive use by Roman senators in a variety of contexts owed as much to the native cultural tradition as to an inherited rhetorical background.

According to the conventions of Roman political life, invective was regarded as a legitimate weapon for pursuing one's political enemies (Epstein 1987; see also the interesting modern cross-cultural comparison in Wray 2001: 113–60). Cicero, for example, delivered a stinging attack on Piso in the senate on his return from exile in 57 BCE (*Red. Sen.* 13–16), and again in his *Pro Sestio* (19–24) in 56. Piso retaliated in the senate in 55 following his early recall from his provincial command, for which Cicero had lobbied vigorously (see Nisbet 1961: 158–9; *De Prov. Cons.* 13–14, *Red. Pop.* 21). Cicero repaid the favor with his *In Pisonem*. (On the vexed question of the relationship between the delivered and written versions of the speech, see Nisbet 1961: 202 and Powell 2006.) Piso then went on to publish a rejoinder to this invective (*Q Fr.* 3.1.11). At this point Cicero declined his brother's suggestion to continue this series of exchanges, convinced that nobody would bother to read Piso's speech if he did not reply, especially since school children were already studying his original *In Pisonem* as though it were part of their standard curriculum (*Q Fr.* 3.1.11).

The rules of engagement also permitted a degree of direct abuse that we would not countenance today. Thus, in only the first third of his *In Pisonem*, we find Cicero calling his opponent a *belua* (“monster,” 1), *bustum rei publicae* (“funeral pyre of the commonwealth,” 9), *carnifex* (“butcher,” 11), *furcifer* (“scoundrel,” 14), *maialis* (“gelded pig,” 19; on Cicero's use of animal terms as insults see May 1996; Lévy 1998) and *inhumanissimum ac foedissimum monstrum* (“most foul and inhuman monster,” 31). Physical idiosyncrasies are also considered fair game: Cicero mocks Piso's distinctive forehead and eyebrows some seven times in the speech (see 1, 12, 14, 20, 68, 70) and makes disparaging comments about his complexion, hairy cheeks, and discolored teeth (*Pis.* 1; see Corbeill 1996: 20–56).

To demean his opponent Piso, Cicero also deploys a vivid set-piece description. Here, for example, is his depiction of one of Piso's banquets with his consular colleague Gabinius:

cum conlegae tui domus cantu et cymbalis personaret cumque ipse nudus in convivio saltaret, in quo cum suum illum saltatorium versaret orbem, ne tum quidem fortunae rotam pertimescebat. hic autem non tam concinnus helluo nec tam musicus iacebat in suorum Graecorum foetore atque caeno, quod quidem istius in illis rei publicae luctibus quasi aliquod Lapitharum aut Centaurorum convivium ferebatur; in quo nemo potest dicere utrum iste plus biberit [an vomuerit] an effuderit. (Cicero, *In Pisonem* 22)

When the house of your colleague resounded with song and cymbals, and when he himself danced naked at a feast at which he did not fear the wheel of Fortune, even when he was performing his own whirling gyrations. This man [Piso] meanwhile, neither so elegant nor so artistic a debauchee, lay in the stench and dregs of his Greek companions. Indeed, this banquet of his, in the midst of the republic's travails, was spoken of as if it were some feast of Lapiths or Centaurs, a feast at which it is impossible to say whether that wretch spent more time in drinking or in vomiting.

Cicero's eye for detail and choice of vocabulary bring the scene memorably to life: note the alliterative pairing of *cantu et cymbalis* (“song and cymbals”), the unusual (and thus striking) phrase *saltatorium orbem*, the sarcastic combination *tam concinnus helluo* (“so elegant a debauchee”), the repulsive *foeto atque caeno* (“stench

and dregs”), and the sharp, stark contrast in *biberit an effuderit* (“in drinking or in vomiting”) – either option of course would reflect badly on Piso. It is in such passages perhaps that we find the most literary elements of oratorical invective; as Juvenal and Catullus also demonstrate, memorable abuse requires a degree of linguistic artistry.

Unfortunately, given the essentially Ciceronian nature of our evidence, we can catch only glimpses of the invective launched against Cicero himself. Constantly reminded of his municipal origins, he was apostrophized by his enemies as *inquilinus civis urbis Romae* (“an immigrant citizen of Rome,” Sall. *Cat.* 31.7), derided for his lack of social connections, so that none, so Antony claims, had left him a legacy (Cic. *Phil.* 2.40), and ridiculed for his desperate efforts at climbing the social ladder by buying property and spending time in the fashionable resort of Baiae (Cic. *Att.* 1.16.10; quoted above). For his role in the execution of the Catilinarian conspirators, the *homo novus* from Arpinum was accused of aspiring to tyranny and trying to establish the third foreign monarchy in Rome (Cic. *Sull.* 22; see also Berry 1996: 181–4). According to Antony, Cicero on this occasion had packed the Capitoline Hill with armed slaves (Cic. *Phil.* 2.16) and refused to hand over the body of Publius Lentulus Sura, Antony’s stepfather, for burial (*Phil.* 2.17). He also claims that Cicero instigated the murder of Publius Clodius and provided aid in Caesar’s assassination (*Phil.* 2.23, 2.25). And on this or another occasion Antony evidently ridiculed Cicero’s recent marriage and swift divorce from the teenaged Publilia (Plut. *Cic.* 41.4–5).

Not much, then, was spared one’s opponent. The speaker’s aim in this contest of words was to cast out his target from the community, or at least brand him as deviant. These attacks, however, for all their vigor and incisiveness, did not always succeed in inflicting lasting damage on their targets. Piso continued to exert a considerable influence as a man of consular rank for another decade or so after his verbal battles with Cicero (Nisbet 1961: xiv–xv), while Vatinius, the prosecution witness abused in 56 BCE by Cicero for the swelling on his face and neck, is found in 45 BCE engaging in polite correspondence with the assailant (Cic. *Fam.* 5.9, 5.10a, 5.10b, 5.11; for the attacks on Vatinius’ deformities see *Vat.* 4, 10, 39).

As far as the speaker was concerned, invective had a twofold aim: labeling his opponent as deviant while simultaneously asserting his own superiority in prestige and influence (see, e.g., Riggsby 1997: 247). It was not enough just to parry an adversary’s blows; the orator had to assert his own dominance. Thus in the exchange quoted at the start of this section Cicero presents himself as the clear winner and Clodius as the loser. And in the *In Pisonem* Cicero uses direct comparisons between his own actions and Piso’s as a way of structuring his speech (see, e.g., 33, 37, 51, 53). Not surprisingly he claims to have proved himself superior:

iam vides, quoniam quidem ita egomet mihi fui inimicus, ut me tecum compararem, et digressum meum et absentiam et reditum ita longe tuo praestitisse, ut mihi illa omnia immortalem gloriam dederint, tibi sempiternam turpitudinem inflixerint. (Cicero, *In Pisonem* 63)

Since I have proved to be my own worst enemy in comparing myself to you, you can now see that my departure, absence, and return were so far superior to your own that all these incidents have shed undying glory on me, while inflicting everlasting disgrace on you.

It is no coincidence then that Cicero made use of his most strident invective at critical moments in his career when he needed to consolidate his position in the public eye (Corbeill 2002b: 198). Relatively early in his career, Cicero's prosecution of Verres led to the former governor of Sicily departing for self-imposed exile before the orator had finished delivering the first part of the prosecution. From one perspective then the primary aim of its invective was swiftly attained: his opponent was outcast from the community. Nevertheless Cicero went on to compose and circulate the rest of the *Verrines*, complete with their indignant tirades and witty narratives (see, e.g., his picture of idle parasites at 2.3.51 and his famous description of Verres' party and the pirates at 2.5.31). As Freudenburg (1997: 3) has suggested, Cicero's aim in publishing such material was to assert his place within aristocratic society. Not only did the *Verrines* show that he deserved elevation into the higher ranks; they also confirmed that he was so deep-rooted in this world that he could claim for himself the role of participant in the ritual of identity construction. Interestingly, orators who came from further afield seem not to have made as much use of humorous invective, preferring instead to maintain a stern moral profile (David 1983: 318–22; Edwards 1993: 17; Corbeill 1996: 12). One reason for this may have been their limited education which excluded them from the everyday joke-telling experience of the Roman elite; but it has also been suggested that by excluding themselves from such a practice, these municipal orators in effect refused to perform that function of identity creation and management that Cicero complacently assigns to himself (Freudenburg 1997: 3).

Given these important functions of invective, it is clear why the orator could not resort to unbridled abuse against his opponent. To employ obscene insults would risk compromising his own *dignitas* (Cic. *De Or.* 2.229; see Powell 2006). Cicero thus chooses his words carefully. Through the use of circumlocution, innuendo, and vocabulary that avoids obscenity, he constructs narratives that are vivid but not grossly crude. His fierce attack on Antony in the *Second Philippic* is an excellent example of this approach (Richlin 1992²: 13–16; Corbeill 1996: 105–6). In describing Antony's (supposed) sexual relations with Curio, Cicero presents a colorful yet allusive picture of his enemy's vices. As he notes in a clever use of *praeteritio*, he cannot possibly relate *honeste* ("with decency") what Antony has allowed to be done to himself; and yet, since Antony cannot hear such an account from someone who has a sense of shame (*verecundo inimico*), he will be even freer to act as he pleases (*Phil.* 2.44–7).

Invective also had the potential to reshape and remodel the ethical and political code of society by expelling its deviant elements (or at least by trying to do so; see Ruffell 2003). As Corbeill (1996) argues, through his use of invective the orator acts as a definer of his society's moral code. Indeed, given Roman society's lack of canonical moral texts, invective had an important social function to play through its highlighting of virtue and vice. Although it was designed to humiliate the opponent in front of the community, invective also helped, through its enumeration of negative qualities, to shape examples of virtue (cf. e.g., *Rhet. Her.* 3.11). "Morality, then, did not simply depend on oratory for its expression. It was through oratory that the Roman moral code found constant confirmation" (Corbeill 1996: 13). The orator, a representative of the "best citizens," had the responsibility of implementing the mechanisms of public shame that, according to Cicero in *De Republica*, prevented the citizens from wrongdoing (*Rep.* 5.6; see Zetzel 2001; Corbeill 2002b). In this

respect it assumed a quasi-legal function by drawing attention to the malfeasance of (supposed) law-breakers and asking the community of good citizens to regard them as unfit for their society (cf. *Pis.* 42–3, 99).

The Audience

For invective to be effective, several conditions have to be satisfied. First of all, the designated victim has to be an established part of the community, so as to be exposed to its assault and marginalized. Secondly, as we have seen, the orator must possess the skill to manipulate the audience's emotions; and thirdly, the audience must be won over to his side and conspire with him against the victim. In order to achieve this, the orator has to be able to exploit biases already present in his audience: "within each instance of abuse reside values and preoccupations that are essential to the way a Roman of the late republic defined himself in relation to his community" (Corbeill 1996: 5).

The representatives of this community, that is to say the invective's audience, shared, according to Corbeill, elite values and preoccupations and could take different forms. In forensic speeches invective was used before a tribunal usually gathered in the Forum and dealing with either criminal or civil law. Only four of the surviving Ciceronian speeches concern civil cases (*Pro Caecina*, *Pro Tullio*, *Pro Quinctio*, and *Pro Roscio Comoedeo*), and, despite the attacks launched in these against the opponent, they do not feature the same highly colored invective as was deployed, for example, in the *In Pisonem* (Powell 2006). The majority of Cicero's preserved speeches deal with criminal law and represent either the speech for the prosecution (the only surviving example being the *In Verrem*), the defense speech (e.g., the *Pro Caelio*), or the interrogation of a witness (e.g., the *In Vatinius*). Abusive language tended to be used most often as part of the prosecutor's deployment of the so-called argument *probabile ex vita*: the more he succeeded in presenting the accused as an unworthy individual, the more probable it was that the accused was guilty of the crime under investigation. In deliberative (or political) speeches, invective could be employed before both the senate (e.g., *In Pisonem* or *In Clodium et Curionem*, see Crawford 1994: 227–63) and the popular assemblies at Rome (e.g., the *Second* and *Third Catilinarian*). In these cases invective features primarily as a weapon to be wielded in political conflicts. Its aim is to harm the opponent while enhancing the orator's own prestige.

In civil lawsuits the orator's audience was primarily the judge of the case; this relatively constrained context nevertheless gave some scope for humorous invective as the orator attempted to cast the adversary in a negative light (for some examples see Cic. *De Or.* 2.266, 268; cf. Fantham 2004: 198). But it was the large audiences at major criminal trials that provided the best opportunity for spectacular invective fireworks. As Cicero notes (*Inv. Rhet.* 2.32–7), it is not enough for a prosecutor simply to demonstrate the accused's motive and opportunity for committing the alleged crime; he must also show that the man has a correspondingly wicked character. And even if the prosecutor fails to do so, he should still produce whatever negative evidence of the man's character he can since any such details will weaken the defense (see Craig 2004: 192–4).

Cicero's invective is especially virulent, however, in his senatorial speeches. In this respect it is interesting to compare his violent attack on Piso and Gabinius in the senate on his return from exile (*Red. Sen.* 10–18) with the simple mention they receive in his speech before the people on the same occasion, where they are referred to almost courteously (*Red. Pop.* 11, 13). Different audiences called for different strategies, although it is perhaps difficult to generalize. A speaker's tactics were probably determined by a number of variables, including his immediate assessment of the audience's mood and sympathies. In *De Lege Agraria* 2, for example, delivered before the people, Cicero accuses Rullus, tribune of the plebs in 63 and proposer of a land distribution, of acting like a tyrant (2.20–1, 75, 116–17; see Dunkle 1967). These serious accusations are then extended to the agrarian commission of decemvirs who are depicted as odious kings trying to deprive the Roman people of their sovereignty (2.22, 33–4). In this case, however, Cicero avoids extensive use of wit and abuse – an interesting decision since his most amusing examples of wit recounted in *De Oratore* are drawn from *contiones* (2.227, 230, 240, 264, 267). As Fantham (2004: 208) suggests, perhaps he could not employ humor when confronted with (to his mind) serious and substantial issues; the proper material for laughter was “trivial absurdities of dress or social foibles,” not “real evil.”

An Aristocratic Ethical Code?

Invective then was capable of speaking to different groups and playing on their social concerns. In this respect it is interesting to consider Cicero's use of insults involving the *os impurum*, the “unclean mouth” which performs oral sex and the reprehensible activities of excessive eating and drinking. Cicero seems to direct such insults at less powerful men of a lower social standing (with one notable exception at *Cic. Phil.* 2, 68). The two men associated with the *os impurum* are the relatively unimportant Apronius, Verres' assistant, and Sextus Cloelius, the henchman of Clodius (*Verr.* 2.3, *Dom.* 25, 26, 47–8, 83). In order to implicate his real targets in the charge of immoral oral behavior, Cicero applies a complex manipulation of the themes related to *os impurum* so as to let Apronius and Sextus Cloelius carry the direct weight of immorality, while at the same time presenting Verres and Clodius as so deeply connected to their henchmen that they are implicated in this non-elite behavior (Richlin 1992²: 99; Corbeill 1996: 99–127). It seems reasonable to conclude then that the disgrace connected with the unclean mouth was more strongly felt among the elite, and as such the orator had to deploy this insult with considerable care. Nevertheless, the basic anxieties that gave the insult its force – a concern with smell, cleanliness, and appearance – were shared by all ranks of society. Indeed, the fear of being contaminated by the target of the insult plays a major part in Roman invective of all types (Richlin 1992²: 27).

It is no surprise then that in graffiti, satires, and lampoons as well as rhetorical invective we find the same categories of insult connected to the general and omnipresent themes of food, sex, drink, and gambling (Richlin 1992²; Ruffell 2003). While the orator in the courtroom had to adopt a degree of explicitness different from the anonymous writer on a wall, a review of the topics of invective reveals a close connection between the different literary genres of comedy, poetry (both popular and

elite), and rhetorical invective. There seems to have been a continual osmosis between these diverse literary forms that went far beyond the borrowing of witty expressions (cf. Cic. *Fam.* 12.16.3). As Ruffell has emphasized, the reperformativity of popular verses, such as the soldiers' verses on Caesar and Nicomedes sung at the Gallic triumph, would allow for a "fluid interchange of material between social agents and contexts," so that "the distinction between elite and mass verse, literary and sub-literary breaks down, or at least becomes very problematic. In terms of its consumption and reproduction there is nothing to control their absorption into the same cultural blender" (Ruffell 2003: 52). As part of this cultural milieu, rhetorical invective operated in a world that was permeated by formal as well as ideological interchange. In its poetic and rhetorical forms, invective worked on a body of shared concepts which were reelaborated and remodeled with varying degrees of subtlety at different social and cultural levels (see Ruffell 2003: 61).

Moreover, invective imposed the authority of a system of collective values. What had been subject merely to private rumors or hostile glances now became publicly named and exposed – a process that involved the complete redefinition of the private and public spheres. And while such verbal assaults gave expression to serious conflicts present within the community, their ritualization helped to structure and regulate these tensions. Even when the aim was to drive out the chosen target from the community, the cultural practice of invective to some extent channeled and controlled this conflict.

Thus the assertion of Corbeill (2002b: 213) that invective was a tool of open humiliation that reaffirmed publicly "what was right and proper for the true, elite Roman" does not tell the whole story. If we look beyond Cicero, it becomes more difficult to sustain that invective was adopted as a mechanism "at the service of stability" (Corbeill 2002b: 215). This image of internal cohesiveness was more a Ciceronian creation than a historical reality. Invective in fact will be effective only as a moment of public disgrace, when the contest moves beyond the members of the ruling elite and becomes a judgment of the community. That is, invective is an attempt by one member of the community to disgrace another in the eyes of the rest, arrogating for himself the right to act on behalf of the whole group.

Invective as a Convention

Our extant examples of Roman invective show that the same individual could be attacked in very different and sometimes contradictory ways. Publius Clodius Pulcher, for example, one of Cicero's favorite targets, is accused of effeminacy (*Har. Resp.* 44, *Sest.* 116), incest (*Dom.* 26, 92, *Sest.* 16–17), and homosexual prostitution (*Har. Resp.* 42, 59), as well as consorting with prostitutes (*Mil.* 55) and other men's wives (*Dom.* 118, 134–5, 139). This fact, together with the ubiquitous nature of the invective *loci* and Cicero's labeling of this rhetorical practice as "a kind of rule of prosecution" (Cic. *Mur.* 11), has led many scholars to question the veracity of such accusations. Ronald Syme, for example, in a much cited passage declares: "Crime, vice and corruption in the last age of the republic are embodied in types as perfect of their kind as are the civic and moral paragons of early days; which is fitting, for the evil and the good are both the fabrication of skilled literary artists" (Syme 1939: 149).

And Nisbet (1961: 193) in his commentary on *In Pisonem* maintains that Roman invective “often shows more regard for literary convention than for historical truth.” To what extent then did the audience actually believe the often colorful accusations that formed the core of Roman invective? Craig (2004: 194) suggests that the formal invective of the courtroom must have been at least plausible since it was designed to prove the opponent’s proclivity toward criminal behavior. Outside the courtroom, however, matters were rather different: here it was the ritual of public humiliation that counted. In this context the speaker as well as his rhetorically educated audience were “not concerned with the plausibility, much less the actual validity, of specific assertions.” Nevertheless, it is likely that plausibility added to the persuasive power of invective (see Corbeill 1996: 5; Corbeill 2002b: 198–9). As Craig (2004: 196) concludes, “[r]ather than saying that the truth of invective allegations is irrelevant, we may more accurately say that it is of secondary importance.” Indeed invective relies a good deal on its ability to exploit the audience’s moral prejudices. As Richlin (1992²: 97–8) and Corbeill (1996: 128–69) have shown, the accusations of effeminacy and passive homosexuality launched at Clodius tell us less about his morals than they do about Roman attitudes toward male sexual submission. Regardless of Clodius’ real inclinations in the bedroom, the crude accusations succeed in depicting him as a violator of the *mos maiorum* and a threat to “decent” society. And if it is true that attacks on sexually deviant behavior depended upon the existence of visible evidence, in such cases the expert orator was often able to highlight and elaborate this evidence for his own ends. Indeed it might be said that truth becomes what the orator describes. His vivid depictions of events ostensibly furnish the proof that the accusation requires.

Where Next?

The orator’s function then was not only to manipulate the audience’s values and prejudices, but also, by claiming “to have the inside-line on those values”, to take up the role of their representative (Freudenburg 1997: 4). This created alternative ethical modes. If the manuscript tradition had had a different fortune so as to preserve only the speeches by, say, Clodius or Catiline we would no doubt have quite a different picture. As Corbeill (1996: 4) notes: “Among men, rhetoric as taught and practiced further defines the narrow body of persons who constitute the elite: by demonstrating that an opponent behaves contrary to the well-being of the state, the orator can isolate that opponent as an individual who has no place in society.” The point then becomes: what is the well-being of the state? Who retains the right to establish its content and nature? The orator, whoever he is, is one part of the answer. The other, however, is the audience.

Invective would have been effective only when the audience (whether senate, popular assembly or judicial court) embraced the picture as described for it by the speaker. The moral description of specific acts constituted an essential element in winning the audience’s approval. This rhetorical device, referred to by Quintilian as *distinctio* (*Inst.* 9.3.65), involved casting a particular action in a moral light different from that claimed by one’s opponent (see, e.g., *Rhet. Her.* 4.35 and Skinner 1996: 138–80 for a full treatment). If the speaker succeeds in convincing his audience of this

new moral description, he has to some extent also succeeded in modifying the social perceptions of that behavior. Given the recent scholarly trend toward studying the social prejudices that underpin invective, a further way forward perhaps is the analysis of how (and how far) this rhetorical manipulation succeeded in altering the values of Roman society.

An interesting example is provided by Cicero's *Pro Milone* (52 BCE), in which *ad hominem* attacks against his opponents (*mutua accusatio*, Quint. *Inst.* 3.10.4) feature prominently (see Craig 2004: 199–213). In his delivered version of the speech, Cicero claimed that Milo had acted in self-defense. He lost the case and Milo had to flee into exile. In the written version, Cicero decided to take a slightly different stance: even if Milo had killed Clodius, he should be acquitted because the killing of Clodius was an act *pro re publica* in support of the common good (Cic. *Mil.* 72–91). In order to support this view Cicero has frequent recourse to the *locus* of *crudelitas*, the predisposition toward murderous violence, which, together with the accusation of aiming at tyranny and plundering public and private properties, makes of Clodius a terrible monster whose death could only benefit the state. In doing so, Cicero is redefining the killing of a Roman citizen as a lawful and, above all, heroic act beneficial to the republic. Such a rhetorical redefinition attempts to legitimize this behavior and, as a result, if successful, might also modify Roman moral perceptions.

Did Cicero succeed in doing so? Did Roman attitudes and values change? As Skinner (2002: 1.149) notes: “It is in large part by the rhetorical manipulation of these terms that any society succeeds in establishing, upholding, questioning or altering its moral identity. It is by describing and thereby commending certain courses of action as (say) honest or friendly or courageous, while describing and thereby condemning others as treacherous or aggressive or cowardly, that we sustain our vision of the social behavior we wish to encourage or disavow. This being so, all innovating ideologists may be said to face a hard but obvious rhetorical task. Their goal is to legitimise questionable forms of social behaviour.” How the Romans reacted to such rhetorical functions of invective, if and how they modified their social beliefs, perceptions and values would be an interesting direction for future inquiry.

FURTHER READING

Nisbet (1961) provides a starting point in English for the study of oratorical invective, with an excellent commentary on Cicero's *In Pisonem* and in the appendix a detailed analysis of the speech as invective; see also the study of Süss (1975), in German. Treatments of the topic in German include Opelt (1965) and Koster (1980); the latter deals in detail with both Greek and Roman invective in their different literary forms and contains an interesting section on pre-Ciceronian invective. See also Corbeill (2002b), which is entirely devoted to Cicero. For a complementary analysis of Cicero's oratorical invective viewed also in relation to the rest of his oratorical production, see Achard (1981), in French. On *Invectiva in Ciceronem* and *Invectiva in Sallustium* and the problem of their authenticity, see the latest edition with introduction by Shackleton Bailey (2002). See also Nisbet (1958, 1961), Syme (1964), and Koster (1980: 177–210), which also includes a treatment of Calenus' invective against Cicero (Cass. Dio 46.1–28).

For the relationship between other literary forms and rhetorical invective see as a mine of Ciceronian and Plautine sources Hammer (1906), in Latin. Richlin (1992²) has illuminating pages on Cicero's rhetorical invective and parallel literary phenomena in satire, lampoons, and graffiti. For a collection of inscribed verses see Courtney (1995). Geffcken (1973) examines Cicero's invective in the *Pro Caelio* in the light of other genres, such as comedy. This work also discusses the fragmentary invective *In Clodium et Curionem* in an appendix (Geffcken 1973: 58–9), on which also see more recently Crawford (1994: 270–363). For the study of invective categories as presented in Cicero's *In Pisonem*, *Pro Milone*, and *Second Philippic*, see Craig (2004). For the specific abuse of incest see Hitckson-Hahn (1998); of rustic behavior and conversely of excessive urbane mannerism see Connors (1997). For literary studies of passages from Cicero's *Second Philippic* see Hughes (1992) and Sussman (1994b, 1998). On the related issue of freedom of speech see Momigliano (1971), in Italian; in English, see Smith (1951), Brunt (1988b), and the edited collection by Sluiter and Rosen (2004), especially the contributions by Raafaub (2004) and Chrissanthos (2004).

PART III

Systematizing Rhetoric

CHAPTER THIRTEEN

Roman Rhetorical Handbooks

Robert N. Gaines

The purpose of this essay is to provide an introduction to Roman rhetorical handbooks, especially the Latin handbooks characteristic of early first century BCE, namely, Cicero's *De Inventione* and the anonymous *Rhetorica ad Herennium*. My approach will be historical, for it is almost impossible to understand either of these works apart from earlier developments in rhetoric, particularly within the handbook traditions that arose to impart rhetorical principles to students at advanced stages of their formal education. Accordingly, I shall arrange my comments in three roughly chronological segments. The first sketches three handbook traditions that shaped the contours of rhetorical theory and instruction from late fifth through late second century BCE. The second describes the handbook tradition that fused these traditions and dominated rhetorical thinking from late second century up to the time of our Latin handbooks. The third addresses the contents of the Latin handbooks, considering their relation to previous handbook traditions and other intellectual forces that influenced rhetorical thought in the first century BCE.

The Greek Background

From late fifth through late second century BCE, three traditions of handbooks characterized theory and instruction in rhetoric. Handbooks in the earliest tradition organized precepts in segments devoted to the parts of a speech. No early handbook from this tradition survives; still, we have considerable information from contemporary sources for handbooks organized by speech parts beginning around the turn of the fourth century. Plato and Aristotle both appear to discuss treatises on speech parts (Pl. *Phdr.* 266d–267e; Arist. *Rh.* 1.1.8–11, 3.13.1–5), and their remarks suggest that these treatises devoted themselves to judicial speaking (*Phdr.* 266d; *Rh.* 1.1.11; cf. Isoc. *C. Soph.* 19). Based on this information, a number of scholars have proposed that early handbooks in this tradition typically dealt with four speech parts: a *proem*

that secured an attentive, intelligent, and benevolent hearing; a *narration* that represented facts of the judicial case favorable to the speaker; a *proof* that confirmed the speaker's claims and refuted the arguments of the opponent; and an *epilogue* that summarized the speaker's arguments and aroused emotions in the audience favorable to the speaker's case (see, e.g., Barwick 1922: 12; Hinks 1940: 66; Kennedy 1997: 9–10; Wisse 2002a: 355–6). This proposal is certainly plausible, for it is consistent with contents of three later exemplars of speech-part handbooks: the treatise fragment in *P. Hamb.* 131 (third century BCE, Merkelbach 1954; Gaines 1989: 337–9) as well as Rufus' *Ars Rhetorica* (second century CE) and Anonymous Seguerianus' *Ars Rhetorica* (second century CE); it is also coherent with early theories of speech parts in Isocrates (Isoc. *ap.* Dion. Hal. *Lys.* 16–19) and Aristotle (*Rh.* 3.13.1–19.6). However, close scrutiny of the evidence regarding early speech-part handbooks suggests that more complex partitions of speeches were numerous and perhaps as common as the four-part scheme.

General evidence germane to this point comes from Aristotle's critique of technical writers on speech parts during his discussion of the subject in *Rhetorica*:

νῦν δὲ διαιροῦσι γελοίως· διήγησις γάρ που τοῦ δικανικοῦ μόνου λόγου ἐστίν, ἐπιδεικτικοῦ δὲ καὶ δημηγορικοῦ πῶς ἐνδέχεται εἶναι διήγησιν οἷαν λέγουσιν, ἢ τὰ πρὸς τὸν ἀντίδικον, ἢ ἐπίλογον τῶν ἀποδεικτικῶν; προοίμιον δὲ καὶ ἀντιπαραβολὴ καὶ ἐπάνοδος ἐν ταῖς δημηγορίαις τότε γίνεται ὅταν ἀντιλογία ᾗ, καὶ γὰρ ἡ κατηγορία καὶ ἡ ἀπολογία πολλάκις. ἀλλ' οὐχ ἡ συμβουλή· ἀλλ' ὁ ἐπίλογος ἔτι οὐδὲ δικανικοῦ παντός, οἷον ἐὰν μικρὸς ὁ λόγος, ἢ τὸ πρᾶγμα εὐμνημόνευτον· συμβαίνει γὰρ τοῦ μήκους ἀφαιρεῖσθαι. ἀναγκαῖα ἄρα μόρια πρόθεσις καὶ πίστις. ἴδια μὲν οὖν ταῦτα, τὰ δὲ πλεῖστα προοίμιον πρόθεσις πίστις ἐπίλογος· τὰ γὰρ πρὸς τὸν ἀντίδικον τῶν πρίστων ἐστί, καὶ ἡ ἀντιπαραβολὴ αὔξησις τῶν αὐτοῦ, ὥστε μέρος τι τῶν πρίστων. (Aristotle, *Rhetorica* 3.13.3–4)

But now [technical writers] divide speeches ridiculously; for surely narration is for the forensic speech only, and how is it possible that there is a narration of the sort they describe for epideictic and deliberative speech, or how a refutation, or how an epilogue for demonstrative speeches? Proem and reply by comparison and recapitulation arise in deliberative speeches, whenever there is disputation, for even accusation and defense occur often [in deliberative speeches], but not as deliberation *per se*. And besides, the epilogue is not for every forensic speech, for example, when the speech is short, or the matter is easy to remember; for epilogue results from reducing length. Necessary parts, then, are statement and proof. These are in fact parts characteristic of the speech, and at most the parts are proem, statement, proof, conclusion. For refutation belongs to the proofs, and the reply by comparison is an amplification of one's own arguments, so that it is a sort of part of the proofs. . . .

Here Aristotle criticizes writers of early handbooks on rhetoric for two reasons. First, in Aristotle's view, they wrongly stipulate that “refutation” and/or “reply by comparison” belong to every speech. Secondly, they wrongly conceive these speech elements as distinct speech parts. Now, I conclude from these criticisms – and their sweeping manner of expression – that early writers of handbooks on speech parts included “refutation” and “reply by comparison” so commonly that Aristotle found their claims both necessary to dispute and possible to address without differentiating among individual works or theories. But if this much is acceptable, then surely the

partition of speeches into five parts or more must have been a significant outlook – if not the standard view – within the early handbook tradition.

I now turn to the second tradition of handbooks, one that concerned itself with the functional activities of the speaker. The intellectual origins of this tradition may perhaps be traced to Isocrates, who described at different times four speaker activities: discovery, arrangement, style, and delivery (*C. Soph.* 16–17, *Philip.* 25–6; cf. Radermacher 1951: 164). However, the earliest surviving treatise that organizes its precepts according to functional activities is Aristotle's *Rhetorica* (Solmsen 1941: 37–8). Within this work as we have it, Aristotle identifies three matters that require exertion in regard to the speech: sources of proofs, style, and arrangement of the parts of a speech (2.26.5, 3.1.1; see Grimaldi 1988: 365, 369).

The activity of finding proofs (or invention) Aristotle treats in *Rhetorica* 1 and 2. He initially separates proofs into two categories, artistic (devised by the speaker) and inartistic (independently existing evidence). Artistic proofs arise through the subject matter (deliberative, epideictic, judicial), the character of the speaker, and the emotional disposition of the audience (1.2.3). The second and third matters identified pertinent to rhetorical speech – style and arrangement – are addressed in *Rhetorica* 3. Discussion of style begins with brief attention to delivery. Aristotle stipulates that delivery is a matter of voice and analyzes voice with respect to volume, harmony, and rhythm. Volume (variable loudness) and harmony (variable intonation) are matched to emotions expressed by the speaker; rhythm (pronunciation of long and short syllables) is matched to the subject matter (3.1.4). In the case of style proper Aristotle's chief interests appear to be qualities and types of style. Foremost among stylistic qualities he treats clarity and appropriateness (3.3.2, 3.7.1–11), but he also addresses ornament and purity (3.2.5–15, 3.5.1–2).

In the final chapters of *Rhetorica*, Aristotle theorizes about arrangement of the parts of rhetorical discourse. As we have seen, Aristotle insists that only two parts are necessary in any speech, statement and proof; still, he admits that there is sometimes use for a proem to begin the speech and an epilogue to end it. Ultimately, he offers a practical account of four speech parts: proem, narration, proof, epilogue (3.13.1–19.6), and it is arguable that the substance of this account resembles in many ways the contents of early speech-part handbooks (see Solmsen 1941: 46).

Aristotle's conceptualization of rhetoric through recourse to the functional activities of the speaker had a profound effect on subsequent theory, both in the schools of philosophy (Peripatetic: Quint. *Inst.* 3.1.15; Theophr. frags. 666–704; Fortenbaugh et al. 1992; Stoic: Diog. Laert. 7.43; Academic: Cic. *Part. Or.* 5–26, 139) and those of rhetoric (Quint. *Inst.* 3.3.1). In fact, the third handbook tradition that deserves our attention here derives from Aristotle's conception at least in part; for the founder of this tradition, Hermagoras, organized his *Artes Rhetoricae* (c. 140–130 BCE, Brittain 2001: 306–7) in six books with reference to a set of functional activities of speakers (test. 2, Matthes 1962; 1958: 71–2; on the endurance of the tradition, see Dieter and Kurth 1968: 93–4). Although Hermagoras' treatise has not survived, his functional activities of the speaker have been reconstructed as comprising *invention*, *management* (including judgment, partition, order, and expression), *memory*, and *delivery* (frag. 1, Matthes 1962; cf. Matthes 1958: 107–14).

The most significant contribution of Hermagoras was to give focus and structure to the process of finding arguments for a speech. Central to his theory was the defining function of the speaker, namely, to settle the given political question as

persuasively as possible (frag. 4; Matthes 1962). In relation to this function, Hermagoras conceived political questions as problems that affected citizens and their ability to persuade on some matter in the city (Matthes 1958: 123). He divided political questions into unlimited and limited (frags 6a–c; Matthes 1962). The former did not concern specific persons and circumstances, the latter did. Now, we have it from Cicero that Hermagoras did not provide detailed precepts for discussing unlimited questions (*De Or.* 2.65). However, there is considerable evidence regarding his theory for discussion of limited questions. Hermagoras believed that limited questions could be explored using rational questions and legal questions. Rational questions concerned an act and inquired regarding its existence, its definition, its quality, or the legitimacy of procedure used in its consideration (frags 12a–b; Matthes 1962). Legal questions concerned written documents of normative force (Matthes 1958: 182; cf. Quint. *Inst.* 7.5.6), and they guided inquiry regarding disparity between literal versus intended meanings, contrary documents, equivocal expressions, or the degree to which meanings could be extended by analogy to cover subjects not specifically contemplated in a document (frags 12ab, 20a, 20d; Matthes 1962). This conception of rational and legal questions provided speakers with means of investigating the possible argumentative stances regarding all political questions (presumably including matters otherwise conceived as forensic, deliberative, and epideictic; cf. Kennedy 1963: 311).

The Eclectic Theory

Sometime after mid-second century BCE, doctrines from the speech-part, Aristotelian, and Hermagorean handbook traditions were fused into a new eclectic theory, which began to inform handbooks and classroom instruction. We do not have exemplars of the handbooks in this tradition, but we do have a fairly detailed outline of its principles. Cicero provides this outline in the dialogue *De Oratore*, where he has Crassus summarize the art of oratory as he was trained in it (1.137–45). Given the historical lifespan of Crassus (140–91 BCE), this outline is evidently meant by Cicero to typify the contents of Greek rhetorical instruction and associated rhetorical handbooks around 125 BCE. Moreover, since a younger interlocutor in the dialogue, Sulpicius (124/123–88 BCE), indicates that he has previously encountered the very doctrines outlined by Crassus (1.148), I think we are to understand that the outline was still relevant around 91 BCE (the dramatic date of the dialogue, see Leeman and Pinkster 1981: 84–6), though presumably by this time the eclectic theory of rhetoric was available in Latin (evidence coherent with this presumption is treated by Calboli 1982; 1993: 19–25). Thus, within the outline, Cicero provides very important information regarding the state of traditional rhetoric just after Hermagoras and just before the appearance of the Latin rhetorical manuals, *De Inventione* and *Rhetorica ad Herennium*.

Within the eclectic theory as Cicero outlines it, the influence of the Aristotelian handbook tradition may be noted in its conceptualization of the faculty of the orator with recourse to functional activities, particularly invention, arrangement, expression, memory, and delivery:

cumque esset omnis oratoris vis ac facultas in quinque partis distributa, ut deberet reperire primum quid diceret, deinde inventa non solum ordine, sed etiam momento

quodam atque iudicio dispensare atque componere; tum ea denique vestire atque ornare oratione; post memoria saepire; ad extremum agere cum dignitate ac venustate. (Cicero, *De Oratore* 1.142)

And, since the entire power and faculty of the speaker is divided into five parts, he ought first to discover what he should say, then to arrange and compose the discoveries not only with order, but also with a certain weight and through the exercise of judgment, then to dress and adorn them with language, and after that to surround them with memory, and finally to deliver them with distinction and grace.

To be sure, memory has been added to the functions that Aristotle envisioned, but it would appear that this addition is simply an extension of Aristotle's functions to make them consistent with contemporary pedagogy. Particular influence of Aristotelian handbooks may also be noted in the focus of the theory upon three kinds of rhetorical speeches (judicial, deliberative, demonstrative) and four qualities of rhetorical style (correctness, clarity, ornament, aptness – systematized after Aristotle by his student, Theophr. frag. 684; Fortenbaugh et al. 1992):

sed causarum, quae sint a communi quaestione seiunctae, partim in iudiciis versari partim in deliberationibus; esse etiam genus tertium, quod in laudandis aut vituperandis hominibus poneretur; . . . audieram etiam quae de orationis ipsius ornamentis traderentur: in qua praecipitur primum, ut pure et Latine loquamur, deinde ut plane et dilucide, tum ut orate, post ad rerum dignitatem apte et quasi decore; singularumque rerum praecepta cognoram. (Cicero, *De Oratore* 1.141, 144)

But of the causes that are distinct from a general dispute, some have to do with legal proceedings, other with deliberations, and there is a third kind, which is thought to consist in praising and censuring persons. . . . I also heard what is imparted concerning enhancements of the speech itself, regarding which it is taught that we should speak, first, in pure and correct Latin, second, simply and clearly, third, ornately, and last, aptly and suitably, as it were, to the dignity of our subject matter. For these specific things, I learned precepts.

The influence of the Hermagorean tradition is also obvious; the eclectic theory envisions invention as concerned with general and special matters, and it prescribes an account of issues in dispute that parallels Hermagoras' theory of rational and legal questions:

deinde esse omnem orationem aut de infinitae rei quaestione, sine designatione personarum et temporum, aut de re certis in personis ac temporibus locata; in utraque autem re quicquid in controversiam veniat, in eo quaeri solere aut factumne sit aut, si est factum, quale sit aut etiam quo nomine vocetur aut, quod nonnulli addunt, rectene factum esse videatur; existere autem controversias etiam ex scripti interpretatione, in quo aut ambigue quid sit scriptum aut contrarie aut ita ut a sententia scriptura dissentiat . . . (Cicero, *De Oratore* 1.138–40)

Next, every speech either concerns a dispute of a general matter without specification of persons or times, or it has to do with a matter dependent upon specific persons and times. Also, in each matter, whatever comes into controversy, it is usual for there to be inquiry whether or not a deed was done or, if it was done, what is its character, or again by what name it should be called, or, as not a few add, whether or not it appears to have been done rightly. Further, controversies also proceed from interpretation of writing, in

which something is written with ambiguity, or contradiction, or such that the wording is at odds with the thought . . .

The influence of speech-part handbooks upon the eclectic theory is apparent in its six-part organizational scheme for speeches, including exordium, narration, partition, confirmation, refutation, and conclusion:

etiam illa cognoram et acceperam, ante quam de re diceremus, initio conciliandos eorum esse animos qui audierent; deinde rem demonstrandam, postea controversiam constituendam, tum id quod nos intenderemus confirmandum, post quae contra dicerentur refellenda, extrema autem oratione ea quae pro nobis essent amplificanda et augenda, quaeque essent pro adversariis infirmenda atque frangenda. (Cicero, *De Oratore* 1.143)

I also studied and learned that before we speak on a matter, we must at first conciliate the mind of the audience, next we must give an account of the matter, after this we must establish the controversy, then we must prove what we claim, and afterwards we must refute what has been said in opposition, and at the end of the speech, we must amplify and intensify those things in our favor, while we weaken and break down those things in favor of our adversaries.

Certainly it is hard to explain the presence of separate parts for confirmation and refutation without contemplating the early handbooks that Aristotle criticized for distinguishing these very parts. We should also recognize the likely influence of Hermagoras on the speech-part “partition.” In his advanced analysis of disputable issues, he recommends partition as an indispensable part of every speech that identifies a controversy to be settled in a discursive context.

Early Latin Handbooks

The eclectic theory of rhetoric consolidated almost three centuries of development concerning the idea of rhetoric; it also appears to have been current in the nineties BCE. Accordingly, no surprise should attach to the fact that it exercised a strong influence upon the two Latin handbooks on rhetoric that survive from the next decade or so, namely Cicero’s *De Inventione* and the anonymous *Rhetorica ad Herennium*. In fact, the two works seem to mirror the eclectic theory in four major respects: (1) both recognize five functional activities: invention, arrangement, expression, memory, and delivery; (2) both recognize three rhetorical genera of discourses: judicial, deliberative, and demonstrative; (3) both include a Hermagorean-looking account of controversy as part of their treatment of invention; and (4) both recognize six parts of a rhetorical speech: exordium, narration, partition, confirmation, refutation, and conclusion. These similarities have led some scholars to regard Roman rhetorical handbooks as “quite stereotyped in form” (Bonner 1977: 68; Clarke 1996³: 23). However, close scrutiny of *De Inventione* and *Rhetorica ad Herennium* reveals that the two handbooks offer rhetorics differing in significant ways not just from the eclectic theory but also from one another. I shall turn to this thesis shortly, but in the meantime, I would like to contextualize my discussion with a description of the two Latin handbooks in question.

De Inventione

It is generally accepted that Cicero's *De Inventione* is the earlier of the two handbooks. A date for the work between 91 and 88 BCE seems most likely (Kennedy 1972: 107–10; cf. Caplan 1954: xxv–xxvi; Hubbell 1949: xi–xii; Marx 1894: 76–7), but dates into the late eighties BCE have been proposed (Achard 1994: 6–10; Adamik 1998: 275–6; Kroll 1939: 1093). The original title of the work was probably *Rhetorici Libri* (Kroll 1939: 1091; cf. Tolkiehn 1918: 1196–1200). Such a title is consistent with Cicero's plan for the work to cover all the parts of rhetoric: invention, arrangement, expression, memory, and delivery (*Inv. Rhet.* 1.9, cf. 1.27, 2.178). But, ultimately, Cicero completed only the discussion of invention in two books (2.178). Within this discussion, Cicero begins with a defense of the study of eloquence and its civic functions (1.1–5). There follows brief treatment of the nature, function, end, materials, and parts of rhetoric (1.5–9). The nature of rhetoric is handled by stipulating that it is a part of political science. Its function is to speak suitably for persuasion, while its end is to persuade by means of speech (1.6). On the parts of rhetoric, Cicero follows the standard view, that rhetoric incorporates *inventio* (“invention”), *dispositio* (“arrangement”), *elocutio* (“expression”), *memoria* (“memory”), and *pronuntiatio* (“delivery,” 1.9).

These preliminaries having been completed, Cicero turns to invention, which occupies him for the remainder of the two books. His first step is to offer an account of controversy that pertains to all types of rhetorical speaking in which a dispute may arise (1.10–19, cf. 2.12). Here Cicero introduces four sources of dispute or *constitutiones* (“issues,” 1.10): conjecture, definition (1.11), quality (1.12–15), and procedure (1.16). The rest of the book examines in turn the various parts of a speech and considers in detail how they should be addressed. As he does so, Cicero has occasion to discuss the general material available for all arguments (or *loci*, 1.34–43), as well as the elaboration and arrangement of argumentation (1.44–77). In book 2, Cicero prefaces his theoretical remarks with comments on the method and historical background of *De Inventione*. Regarding method, he observes that he has gathered the most suitable doctrines out of authors and teachers from the beginning of rhetorical instruction up to his own day (2.1–5). To support this observation, he surveys the sources to which he had access, including pre-Aristotelian handbooks, Aristotle and his followers, Isocrates and his pupils, and a group of teachers who attempted to combine Aristotelian and Isocratean principles (2.6–10). After this preface, he turns to his immediate task, namely elucidating particular lines of argument suitable for confirmation and refutation in each type of rhetorical speaking – forensic, deliberative, and demonstrative (2.11).

Although Cicero is careful to observe that every rhetorical discourse, of whatever type, is driven by an “issue” as he has defined the term (2.12–13; cf. 2.155–6), it is only with reference to forensic causes that his analysis of controversy informs treatment of particular arguments. Accordingly, his exposition of forensic topics addresses issues and disputes about documents. The discussion of issues predictably handles theoretical extensions and examples of matters wherein there is controversy about fact (2.14–51), definition of an act (2.52–6), correctness of procedure (2.57–61), or quality of an act (2.62–115). Likewise, in the case of disputes over documents, his account addresses resources in controversies that arise out of ambiguity (2.116–21),

mismatch between words and the author's meaning (2.121–43), disagreement among laws (2.144–7), analogical interpretation of documents (2.148–53), and definitions of individual words (2.153–4). The discussion of deliberative topics is constructed regarding those things that affect choice and avoidance, namely the honorable and the advantageous as well as the attributes of necessity and circumstance (2.157–8). On demonstrative topics, Cicero is very brief, partly because praise and censure, the activities of demonstrative discourse, may be guided by the attributes of actions treated in the first book (2.177).

Rhetorica ad Herennium

Rhetorica ad Herennium was very likely completed in four books sometime in the period 88/86–82 BCE (Calboli 1993: 12–17; cf. Achard 1989: vi–xiii; Kennedy 1972: 112–13; Caplan 1954: xxvi), though dates into the seventies are certainly plausible (M. Henderson 1951: 73 n18 [before 75]; Kroll 1934b: 63 [before 70]), and some scholars argue for much later dates (Douglas 1960: 65–78 [ca. 50 BCE]; Herrmann 1980: 144–60 [mid first century CE]). The authorship of *Rhetorica ad Herennium* has posed a problem since the fifteenth century (see Monfasani 1987: 112–15), and since first doubts about Ciceronian authorship, about a dozen authors have been suggested for the work (see Caplan 1954: xiv n. c). Recently, however, the debate has focused principally upon whether or not the work should be attributed to a Cornificius mentioned by Quintilian (the central reference is at *Inst.* 5.10.1–2). A number of scholars have favored this attribution (e.g., Kroll 1934a: 24; Kroll 1934b: 63; Calboli 1993: 3–12; Kennedy 1972: 112; Adamik 1998: 280–1), but it has been challenged by others (e.g., Marx 1894: 72; Brzoska 1900: 1607; Koehler 1909: 14; Caplan 1954: x; Achard 1989: xvii–xx; Müller 1994: 6–12). In my view, the upshot of this dispute is that while Cornificius cannot be ruled out as the author of *Rhetorica ad Herennium*, his authorship cannot be demonstrated with finality; accordingly, *Rhetorica ad Herennium* is here treated as an anonymous work.

Rhetorica ad Herennium is a very practical handbook, a fact stressed by the author from the beginning (1.1). Consistent with this orientation, the work immediately sets out the general principles that inform its contents. The duty of the speaker is defined first, specifically, to speak on matters constituted by customs and laws for civic utility as persuasively as possible (1.2). Next come the kinds of oratorical causes, demonstrative, deliberative, and judicial, and the author says that he will integrate treatment of these with his account of the functional activities of speakers, namely, *inventio* (“invention”), *dispositio* (“arrangement”), *elocutio* (“expression”), *memoria* (“memory”), and *pronuntiatio* (“delivery,” 1.2–3).

The discussion of invention is informed by the author's initial observation that invention is occupied with the six parts of the oration (1.4); accordingly, the discussion provides a systematic treatment of the parts of a forensic speech (1.4, 2.1–2): *exordium* (“exordium”), *narratio* (“narration”), *divisio* (“division”), *confirmatio* (“confirmation”), *confutatio* (“confutation”), and *conclusio* (“conclusion”). Having treated invention of judicial speeches in the first two books, the author turns at the beginning of book 3 to a briefer discussion of the topic in deliberative and demonstrative speeches. For both types of invention, he treats topics and speech parts separately. Regarding deliberative speaking, the author insists that the single aim is

advantage, of which the two parts are security and honor (3.3). Security arises from military strength as well as shrewdness. Honor, he says, is divided into what is right and what is laudable, though the topics for demonstrating both relate to wisdom, justice, courage, and temperance (3.4–7). In demonstrative speeches, praise and censure of persons are based on identical topics concerning factors that are external, physical, and ethical. External factors arise by chance and include family, education, wealth, powers, glories, citizenship, as well as friendships. Physical factors are natural and include speed, strength, impressiveness, and health. Ethical factors relate to purpose and thought, including wisdom, justice, courage, and temperance (3.10).

Having completed the account of invention, the Auctor turns to arrangement, a subject that is treated relatively briefly (3.16–18). Next comes delivery, which he discusses with reference to voice and bodily motion, especially eight tones of voice and corresponding physical gestures (3.19–27; for discussion see chapter 17.) A treatment of memory concludes book 4. The author divides memory into natural and artificial (3.28–9). Focusing upon artificial memory, he treats its two chief instruments, locations and icons. Icons are images designed to represent matters or words pertinent to a speech (3.33–9). Locations are real or idealized “places” where speakers can position icons in their imagination for sequential recollection (3.30–2). Using located icons, the author explains, speakers can hold in memory the elements of a case (3.33), all the matters to be treated in a speech, and even the words of specific passages (3.34). (See further discussion in chapter 16.)

Linguistic expression is treated throughout book 4. The author structures this treatment with respect to stylistic types and qualities (4.10). The discussion of types begins with the three faultless types, grand (impressive words, smoothly and ornately arranged), intermediate (a lower style, but not the lowest), and plain (conversational speech, 4.11–14). The author then discusses the faulty imitations of these expressive types, the swollen (overinflated), drifting (partly grand, partly plain), and scanty (arid, 4.15–16). From here the author addresses the qualities of expression, which he specifies as taste, composition, and impressiveness. Taste combines grammatical correctness with clarity, while composition avoids collisions of vowels and consonants, repetitions of sounds and words, dislocations of words, and lengthy periods (4.17–18). Impressiveness arises from variety, and the author proposes as means to this end forty-five figures of diction and nineteen figures of thought (4.18–69; details in Caplan 1954: lvi–lviii; Calboli 1993: 71–4; see also chapter 14).

The relationship between De Inventione and Rhetorica ad Herennium

Based on the foregoing descriptions, it is now possible to assess the theoretical relationships existing among the eclectic theory of rhetoric, Cicero’s *De Inventione*, and the anonymous *Rhetorica ad Herennium*. At the outset, it is obvious that the Latin handbooks share two important departures from the eclectic theory. First, while the eclectic theory includes general questions or theses as central matters for rhetorical treatment, neither *De Inventione* nor *Rhetorica ad Herennium* recognizes such questions as falling within the scope of rhetoric. This departure would seem to represent a retrenchment of rhetoric in response to second-century critiques by philosophers. We know that sometime in the latter half of the second century BCE, philosophers complained

that rhetoricians were in no position to teach their students to speak on general questions, since they lacked the disciplinary knowledge required for such speaking (Cic. *De Or.* 1.45–6, 82–7; see Arnim 1898: 92–7). These sorts of complaints had not abated by the late eighties BCE (Posidonius *ap. Plu. Pomp.* 42.5; cf. Phld. *Rh.* 4, *P. Herc.* 1007 cols. 24a.26–25a.14; Sudhaus 1892), and in the absence of any decisive reprehension of the philosophers' arguments, our Latin handbooks dropped theses from the rhetorical repertoire (presumably as part of a larger trend; cf. Arnim 1898: 94).

The second departure is that while the eclectic theory contemplates speech parts under arrangement, *De Inventione* and *Rhetorica ad Herennium* treat speech parts under invention. This departure is very important, since it focuses inventional processes upon creation of materials for all speech parts as opposed to argumentation alone (as in the Aristotelian and Hermagorean traditions). This “quantitative” conception of invention is clearly articulated in *Rhetorica ad Herennium* (1.4) and taken for granted in *De Inventione* (1.19). The inspiration for this conception is sometimes attributed to the speech-part handbook tradition (May and Wisse 2001: 31; Kennedy 1972: 15). But I am more inclined toward Isocrates as the originator of the idea; for, we have in Isocrates' *Letter* 6.8 an explicit injunction to consider the purposes of individual speech parts prior to finding speech materials (Gaines 1990: 166–70; cf. Radermacher 1951: 164). Obviously, Isocrates' injunction is parallel to pedagogical principles in *De Inventione* and *Rhetorica ad Herennium*, and we have it from Cicero himself that an Isocratean handbook tradition was influential and readily accessible in early first century BCE (*Inv. Rhet.* 2.7–8).

On matters not covered by *De Inventione*, *Rhetorica ad Herennium* seems to differ from the eclectic theory in three additional respects. One difference is that where the eclectic theory included appropriateness among the qualities of style, *Rhetorica ad Herennium* omits appropriateness, substituting instead “composition.” Now, because appropriateness generally suits expression to the subject, speaker, audience, and even place and time (Arist. *Rh.* 3.7.1; Cic. *De Or.* 3.210–12, *Orat.* 71–4), this difference tends to distance stylistic theory in *Rhetorica ad Herennium* from the practical occasions of its application. Moreover, given the prescriptions for composition provided by *Rhetorica ad Herennium*, such a difference places greater emphasis on the implied acoustics of style, its deliverability by the speaker, and its pleasurable reception by the audience. Another difference is that where the eclectic theory was evidently silent, *Rhetorica ad Herennium* treats three kinds of style (grand, intermediate, plain), and in fact it is the earliest surviving rhetorical treatise to do so (see Hendrickson 1905: 268–71). An earlier theory involving three types of diction apparently existed among the Peripatetics (Theophr. *ap. Dion. Hal. Dem.* 3; Grube 1965: 108); however, the tripartite conception presented in *Rhetorica ad Herennium* contemplates both diction and composition (4.11, 15), and should probably be understood as a later development (Quadlbauer 1958: 63; but cf. Kennedy 1963: 278–82; more generally, see Calboli 1993: 287–9). Matters of origin aside, there can be no doubt that, with its discussion of three kinds of style, *Rhetorica ad Herennium* demonstrates a theoretical interest in expression that is more developed than that represented in the eclectic theory. Finally, where the eclectic theory incorporated brief precepts on delivery, *Rhetorica ad Herennium* offers systematic principles, guided by a complex theory of vocal tones. Of course, without details on the precepts for delivery in the eclectic theory, it is impossible to construct a precise comparison with *Rhetorica ad Herennium*. Still, inasmuch as the theory of vocal tones enunciated

in *Rhetorica ad Herennium* is remarkable in its complexity and extension to particulars concerning voice, face, and physical gesture (cf. Kennedy 1963: 284), it seems safe to conclude that it placed more emphasis on delivery, particularly regarding the aim traditionally associated with management of vocal tones: expression of the speaker's emotions (on emotional expression in delivery, see *Rhet. Her.* 3.23–5, 27).

The fact that Cicero's *De Inventione* and *Rhetorica ad Herennium* manifest significant differences with the eclectic theory indicates that the intellectual context of the two handbooks was fluid enough to support innovation, despite the constraints of authority and consensus associated with traditional doctrine. In my view, however, the degree to which theoretical diversity was nourished in early Roman rhetoric is more easily observed from a comparison of *De Inventione* and *Rhetorica ad Herennium* with one another. As one component of this comparison, it is important to note that the two handbooks exhibit many similarities from their highest-level theoretical commitments to the wording of their most specific precepts (see, e.g., Thiele 1889: 3–90; Herbolzheimer 1926: 396–422; Adamietz 1960: 16–93). These similarities have encouraged a number of conjectures about their relations, all of which attempt to explain commonalities of Greek theory and Latin phraseology in the two manuals (for recent surveys of individual positions, see Calboli 1993: 25–9 and Corbeill 2002a: 33–4). The most probable view seems to be that *De Inventione* and *Rhetorica ad Herennium* both represent access to a Latin translation of a Rhodian Greek rhetorical treatise influenced by Hermagoras and Aristotle (Calboli 1993: 29, following Matthes 1958: 81–100, and Adamietz 1960: 94–7). The implication of this view for our present purposes is that very shortly after rhetoric was first taught in Latin at Rome (ca. 93 BCE, Cic. *De Or.* 93; Suet. *Gram.* 2; Sen. *Controv.* 2 *praef.* 5), Roman rhetoricians were busily appropriating Greek rhetoric from disparate sources, many of which were apparently available (Cic. *Inv. Rhet.* 2.4–8). Such appropriation must have created a volatile situation for theorizing about rhetoric, and I believe that we may see effects of this volatility in the differences between *De Inventione* and *Rhetorica ad Herennium*.

To identify differences between our Latin handbooks, let me briefly compare divisions of the less extensive treatise, *De Inventione*, with corresponding elements in *Rhetorica ad Herennium*. As suggested above, *De Inventione* may be divided into four substantive divisions concerning theoretical preliminaries, sources of dispute, parts of a speech, and the kinds of rhetorical discourse. With reference to theoretical preliminaries, an important difference arises in Cicero's first and most general comment on rhetoric:

civilis quaedam ratio est quae multis et magnis ex rebus constat. eius quaedam magna et ampla pars est artificiosa eloquentia quam rhetoricam vocant. nam neque cum iis sentimus qui civilem scientiam eloquentia non putant indigere, et ab iis qui eam putant omnem rhetoris vi et artificio contineri magnopere dissentimus. (Cicero, *De Inventione* 1.6)

There is a certain political theory, which is composed of many great matters. Of this an important and extensive part is artistic eloquence, which they call rhetoric. For I do not agree with those who think that political science has no need of eloquence, and I disagree very much with those who think that the whole of it is contained in the faculty and art of the speaker.

This comment conveys a fairly sophisticated response to a philosophical controversy prosecuted with vigor in the latter second and early first century BCE; at stake was the relationship between rhetoric and political science or statesmanship. We know of the controversy from Philodemus (ca. 110–40 BCE), who treats it at some length in *On Rhetoric* 3. Of special interest in this treatment is Philodemus' critique of a sophistic view that rhetoric and political science are the same thing (cf. Hammerstaedt 1992: 48). Philodemus' central claim in the critique is that political science is not an indispensable attribute of sophistic rhetoric, and sophistic rhetoric is not political science (*P. Herc.* 1506 col. 39.17–22; Hammerstaedt 1992: 16). He argues for this claim, in part, as follows (critical sigla except [*restoration*] and [*deletion*] have been omitted; see Hammerstaedt 1992: 22 for the complete critical text):

[τῇ]ν γεω[μ]ετρ[ί]αν καὶ τὴν γραμματικὴν τῆς ῥητορικῆς λέγομεν, οὐτ' [ἀ]πὸ ταύτης πα[ρ]α-
γίνεσθαι τὰ [ς] ἐπισ[τῆ]μας ταύτας, ο[ὕτω]ς οὐ[τε] τὴν ῥητορικὴν λέγο[μ]εν καὶ [[τῇν]] πολ-
[ε]ιτ[ικ]ὴν ὑπάρχειν οὐδ' ὅλως ἀποτελεῖν πολ[ε]ιτικούς. (Philodemus, *Papyrus Herculanensis* 1426 col. A.1–10)

we say that geometry and grammar [do not need] rhetoric, and that these sciences do not arise from it, so we say also that rhetoric is not political science and does not really produce statesmen.

In light of Philodemus' critique, we may recognize in Cicero's comment both knowledge and concern about the philosophical controversy, a complicated response that stipulates a logical relation of rhetoric to political science, and an attack on sophistic doctrine that equates rhetoric with political expertise. In contrast, *Rhetorica ad Herennium* does not attempt to explain the relation of rhetoric to political science or any other art. Rather, the author distinguishes himself from those who pursue irrelevant difficulties and limits his work to what strictly pertains to the theory of speaking (1.1). The rationale for this approach is offered later: success in rhetoric requires only practice, imitation, and rhetorical precepts (1.3; cf. 4.69); accordingly, there is no use in worrying over what is outside the principles of the art. The distance between the two handbooks on this consideration is significant. Where Cicero feels obliged to address philosophical concerns about the disciplinary status of rhetoric, the Auctor refuses to theorize on any matter that does not promote facility in speaking.

Regarding sources of dispute, a notable difference exists between *De Inventione* and *Rhetorica ad Herennium* on the structure of controversial issues. The account of rhetorical controversy in *De Inventione* generally follows Hermagoras' rational and legal questions, so it distinguishes between "issues" (fact, definition of act, quality of act, procedure) and "controversies about writing" (ambiguity, letter versus intent, contrary laws, inference, plus an additional source of dispute not in Hermagoras, definition of a word). The distinction seems to have been both difficult and important to Cicero, because within a single section, he explicitly observes that controversies over documents are *separate* from issues (1.17), twice mentions that issues arise from disputed *reasoning*, and three times observes that controversies over documents arise from disputed *writing* (1.17). In *Rhetorica ad Herennium* this distinction is ignored. Although the author preserves the sources of dispute in Hermagoras' rational and legal questions, he reconfigures them so that there are only three issues, conjectural,

legal, and juridical, where the legal issue subsumes definition of an act and procedure along with ambiguity, letter versus intent, contrary laws, and inference. In this reconfiguration the author is evidently among the followers of Marcus Antonius (*De Ratione Dicendi* [*On the Theory of Speaking*], before 91 BCE; Cic. *Brut.* 163; Klebs 1894: 2593), by whom this structure was cultivated (Quint. *Inst.* 3.6.45–6; cf. Marx 1894: 131; Caplan 1954: 32 n. c; Calboli 1972: 128–36). The rationale given by the Auctor for the reconfiguration is noteworthy. He says that his teacher conceived there should be three and not four issues as others believed, because those others divided what should be *taught* as consisting of a single category (1.18). Here again, I believe that we find in *Rhetorica ad Herennium* a kind of theoretical economy, one designed to provide only what is necessary to promote facility in speaking. In this case, the economy simplifies a difficult doctrine for easier teaching and use.

With reference to the parts of the speech, at least three significant differences separate *De Inventione* and *Rhetorica ad Herennium*, all of which concern *confirmatio* or confirmation. One arises from Cicero's presentation of topics on the attributes of persons and the attributes of actions. According to Cicero, these topics are general in that they provide material from which all arguments are drawn (1.34, 50). The topics themselves represent dialectical theory as well as rhetorical doctrine (Leff 1983: 30; cf. Martin 1974: 111), and Cicero illustrates how the topics are germane to argumentation in all kinds of causes (e.g., judicial, 2.28–46; deliberative, 2.176; and demonstrative, 2.177; cf. Reinhardt 2003: 26–7). The topics are also separable from both controversial issues and special topics on each kind of cause; they offer an additional resource for constructing arguments. Since analogous topics are conspicuously absent in *Rhetorica ad Herennium*, accordingly, their integration into the inventional apparatus of *De Inventione* suggests a greater emphasis in this work on the rational means of securing assent.

A second difference in how the two handbooks treat confirmation relates to the types of arguments that they contemplate. In *De Inventione*, inductive arguments receive significant attention. Cicero conceives induction as reasoning to a conclusion based on similitude with cases or instances acceptable to the audience (1.51). His illustrations show that inductions lead to particular conclusions (1.51–2, 56); accordingly, they are roughly equivalent to examples as contemplated by Aristotle (cf. Achard 1994: 102 n153). In comparison, *Rhetorica ad Herennium* omits any treatment of induction as a general form of argument (cf. Kennedy 1972: 136; Achard 1989: 58 n85; Calboli 1993: 240). Rather it contemplates example in four respects: as a means of ornamenting the part of argument called “embellishment” (2.46); as a topic of prudence (historical precedent) in deliberative speeches (3.4); as a device in conclusions of deliberative speeches (3.10); and as a figure of thought (4.62). Within this theoretical scheme, only the use of example as historical precedent has a clear objective to persuade by argument (3.4). The other three applications of “example” are removed from the sphere of direct rational proof. Examples in the part of an argument called “embellishment” are used to adorn a matter *after* the argument has been established (2.28); therefore, while they may contribute to an impression of proof, they do so without involvement in the reasoning offered to persuade the hearer on the point at stake in the cause. Examples in conclusions of deliberative speeches take a similar role, since their use can only be for amplification or commiseration

(2.47), and both of these are designed to stir the emotions of the audience (2.47, 50). Finally, as figures of thought, examples are designed to add impressiveness to ideas through their manifestation in style, and while impressiveness may contribute to persuasion, it does not contribute to the rationality of an argument. Thus, where *De Inventione* pursues induction as a crucial instrument of rational proof, *Rhetorica ad Herennium* treats its correlate, example, principally as a means of amplification and ornament.

The third difference in how *De Inventione* and *Rhetorica ad Herennium* discuss confirmation concerns the parts of a deductive argument. *De Inventione* offers a structure of argumentation involving five parts: major premise, proof of the major premise, minor premise, proof of the minor premise, and conclusion (1.67). The structure of argumentation proposed by *Rhetorica ad Herennium* also has five parts: proposition, reason, confirmation of the reason, embellishment, and summary (2.28). Despite similarities (overstated in Matthes 1958: 204–6), these two schemes are readily distinguishable. In *De Inventione* all the parts either state or logically support the claim to be confirmed. In *Rhetorica ad Herennium* only three parts (proposition, reason, and confirmation of the reason) state or logically support the claim; the remaining parts (embellishment and summary) merely ornament or encapsulate an argument the logical materials of which have already been expressed (cf. Braet 2004: 338; Fortenbaugh 1998: 33 n20). Moreover, where *De Inventione* contemplates provision of a major premise and its proof as a frequent occurrence in argumentation, *Rhetorica ad Herennium* removes the possibility that either will ever be presented in an argument. Accordingly, on the matter of deductive argument development, *De Inventione* devotes all the resources of argumentation to rigorous logical proof, while *Rhetorica ad Herennium* splits these resources between proving logically and creating an impression, presumably emotional, in the audience (cf. Cic. *Part. Or.* 46–7).

Finally, regarding the kinds of speaking, *De Inventione* and *Rhetorica ad Herennium* differ in their emphasis on demonstrative speaking. *De Inventione* devotes 126 words to demonstrative speaking (2.177–8; Stroebel 1915: 155.13–156.2) out of 29,749 words allocated to invention (1.10–109, 2.11–178; Stroebel 1915: 9.14–75.23, 80.9–156.8); this compares in *Rhetorica ad Herennium* with 823 words about demonstrative speaking (3.10.11–15; Marx 1923: 79.11–84.12) out of 12,724 words on invention (1.4–3.15; Marx 1923: 3.15–84.16). Thus, *Rhetorica ad Herennium* allots 6.46 percent of its treatment of invention to discourses of praise and blame, where *De Inventione* allots only 0.42 percent. This is a considerable disparity, and the reasons are not difficult to recognize. Cicero takes as his objective the straightforward exposition of topics pertinent to praise and censure of persons, and he carries out this aim by mentioning two sets of topics, the attributes of persons and the subjects of mind, body, and external circumstances. However, Cicero does not actually set out topics for attributes of persons or the subject of mind, rather he refers the reader back to previous discussions where these topics were treated in other connections. Also, he abbreviates discussion of the subjects of body and external circumstances by providing only summary lists of topics. Finally, he does not address the prospect of censure, except to note that opposites of praiseworthy qualities are obvious. The Auctor by contrast, while presenting only one set of topics for praise and censure (concerning external circumstances, body, and character), nonetheless

expands his treatment by explaining their use in the parts of the demonstrative speech. Within this expansion, the author outlines individual speech parts and elaborates the substance of two sorts of praise or censure, one on the actions of a person, the other concerning a person's life. Moreover, the author gives balanced and particular advice for praising and censuring regarding introductions (3.11–12), narrations (3.13), divisions (3.13), and confirmations (3.13–15) (comments on conclusion do not distinguish between praise and censure, 3.15). In the end, it is evident that *Rhetorica ad Herennium* conceives of the speaker as practically engaged in both praise and blame, sometimes in strictly demonstrative speeches, but frequently in speeches of a judicial or deliberative nature (3.15). Consistent with this conception, it provides detailed precepts for the construction of demonstrations and pays significantly more attention to this type of speaking than is found in *De Inventione*.

In light of this comparison of *De Inventione* with *Rhetorica ad Herennium*, it seems clear that, despite crucial similarities in thought and expression, the two works demonstrate major differences in their technical outlook. *De Inventione* self-consciously participates in philosophical discussion of the disciplinary status of rhetoric, stresses the logical structure of the theory of controversy, provides general topics derived in part from dialectic, contemplates both inductive and deductive rhetorical arguments, and supplies a rigorous logical account of argumentation in rhetorical speeches. Given these features, it appears that the influence of philosophy and especially logic (see *Inv. Rhet.* 1.33, 77, 86) is a characteristic property of the work, at least relative to *Rhetorica ad Herennium* (see Kennedy 1972: 134–7; cf. Achard 1994: 13–15; Montefusco 1998: 13–14, 17, 22–4).

Rhetorica ad Herennium shows philosophical influence too (see Calboli 1993: 32–4), but its distinctive features seem to be driven by other forces. Within the work we find an open disregard for any matter that does not contribute directly to facility in speaking. Moreover, *Rhetorica ad Herennium* ignores abstract argumentative topics and theorizes expressive modes of amplification in place of logical instruments and elements normally associated with argumentation. Additionally, the work stresses demonstration and gives balanced attention to blame as the counterpart of praise. Finally, if we recollect distinguishing elements of the work that are not represented by comparable material in *De Inventione*, *Rhetorica ad Herennium* places special emphasis on figurative means of expression as well as the physical resources of speakers in expressing emotion during delivery. It is conceivable that each of these features could be explained separately, but I think an attractive possibility for explaining them all together is that *Rhetorica ad Herennium* represents the influence of sophistic. Let me now turn to some contemporary evidence for this proposal.

Among the complaints against the sophists that we find in Philodemus is the argument that, while they claim to teach skill in judicial, deliberative, and demonstrative speaking, they fail in courtroom and legislative discourse, because they do not combine rhetoric with political affairs (e.g., *Rh.* 1, *P. Herc.* 1427 col. 6.10–25; Auricchio 1977). *Rhetorica ad Herennium* would appear to be subject to this complaint; for the author claims that his precepts (along with imitation and practice) are everything one needs to succeed in rhetorical speaking. Of course, this view implies that the author's short discussion of deliberative topics (3.3–7) – fewer than 700 words – is a sufficient education in politics for the student to begin participating in legislative deliberation. Such an implication would hardly be

acceptable to Philodemus (*Rh.* 3, *P. Herc.* 1426 col. 12.3–18; Hammerstaedt 1992: 41), and it brings the rigidly preceptive outlook of *Rhetorica ad Herennium* squarely in line with the sophistic position of which Philodemus complains.

The coherence of two other features of *Rhetorica ad Herennium* with sophistic rhetoric becomes apparent upon consideration of a comment in Cicero's *Orator*:

sophistarum, de quibus supra dixi magis distinguenda similitudo videtur, qui omnes eosdem volunt flores quos adhibet orator in causis persequi. sed hoc differunt quod, cum sit iis propositum non perturbare animos sed placare potius, nec tam persuadere quam delectare, et apertius id faciunt quam nos et crebrius, concinnas magis sententias exquirunt quam probabiles, a re saepe discedunt, intexunt fabulas, verba apertius transferunt eaque ita disponunt ut pictores varietatem colorum, paria paribus referunt, adversa contrariis, saepissimeque similiter extrema definiunt. (Cicero, *Orator* 65)

It seems more needful to distinguish [the eloquence of the speaker] from the similar eloquence of the sophists (of which we spoke above), who wish to pursue all those same ornaments, which the speaker employs in his causes. But they differ in this, since it is their intention not to arouse audiences but rather to soothe them, not so much to persuade as to please (and they do this more openly and more frequently than we), they seek after thoughts that are more pleasing than plausible, they often digress from the matter, they bring in fables, they use metaphors rather unreservedly and arrange them as painters arrange a variety of colors, they balance clauses and antitheses, and very frequently they finish off the ends of their clauses with similar word endings.

In relation to this passage, I believe that argument theory in *Rhetorica ad Herennium* becomes more intelligible. The work ignores general topics, transforms inductive reasoning into a stylistic strategy, and truncates deductive reasoning to make room for amplification of what has already been proven. These seem like consequences of an outlook that has competing concerns for creating emotional impression as well as rational conviction, and such an outlook is generally resonant with Cicero's account of sophistic as seeking "thoughts that are more pleasing than plausible." Further, the passage also suggests that the emphasis of *Rhetorica ad Herennium* on stylistic figures could be motivated, at least in part, by sophistic expressive theory. Each of the figures mentioned by Cicero as typical of sophistic eloquence is treated by *Rhetorica ad Herennium* (metaphor, 4.45; balanced clauses, 4.27; antithesis, 4.21; clauses with similar word endings, 4.28). And it may be added that the object of stylistic figures within *Rhetorica ad Herennium* – "impressiveness" – is neither far from Cicero's depiction, nor foreign to sophistic theory and practice (Phld. *Rh.* 3, *P. Herc.* 1426 cols 3a.7–5a.4; Hammerstaedt 1992: 27–31).

In connection with the relative emphasis of *Rhetorica ad Herennium* upon demonstrative speaking, we know that from Hellenistic times onward, sophistic rhetoric was associated with display speeches, typically of an epideictic or demonstrative nature (see, e.g., Anderson 1990: 96; Brandstaetter 1894: 214–62; cf. Cic. *Orat.* 37; Phld. *Rh.* 4, *P. Herc.* 1007 cols 30a.19–32a.26; Sudhaus 1892). And it seems worth noting that, near the time of *Rhetorica ad Herennium*, Philodemus reports a remarkable claim by some sophists (here and elsewhere in the critical text of Sudhaus 1892 critical sigla except [*restoration*] have been omitted) [μ]όνοι φασί πᾶν ὅλως πρᾶγμα δύναμιν ἔχειν ἐπαινεῖν καὶ ψέγειν ("they alone say they have a capability to praise and

censure generally every thing,” *Rh.* 4, *P. Herc.* 1007 col. 33a.1–3; Sudhaus 1892: 214; cf. Gaines 2003). In light of this claim, and the outlook it represents (see *P. Herc.* 1007 cols 33a.3–40a.24; Sudhaus 1892: 214–21), the extensive and balanced attention paid to praise and censure by the author to Herennius appears explicable as a reflection of the sophistic conception of competence at demonstration.

Finally, on the matter of delivery, there is evidence to suggest that the complex development of vocal tones in *Rhetorica ad Herennium* runs parallel to sophistic interests at the time. As part of a critique of theories of delivery in *On Rhetoric* 4, Philodemus comments on the sophists: οἱ δ' οὖν πολλοὶ τ[ῶν] σοφ[ιστῶν] εἰκότασι[ν], ἐξ ὧν γ[ραφῆ]ται, ἀθλίως ὑποκεκρίσθαι· πονηρ[ὸν] γὰρ εἶς ὑπόκρ[ι]σιν αἱ μ[α]κρὰι περίοδοι... (“the majority of the sophists, from what they have written, delivered [their speeches] miserably; for their long periods are difficult with regard to pronunciation...” *P. Herc.* 1007 col. 16a.5–10; Sudhaus 1892: 197–8). This comment leads Philodemus to a discussion of the style of Isocrates, whose lengthy periods often require a subdued voice for delivery in a single breath, a phenomenon that denies the voice much opportunity for tonal variation (*P. Herc.* 1007 cols 16a.10–18a.8; Sudhaus 1892: 198–209). At the conclusion of this discussion, Philodemus makes the following observation:

τοὺς [δε] νῦν οὐ ταῦτ' ὀνόν [ὀρώμ]εν ἔχοντας, ἀλλὰ [καὶ] τ[ῶν] ἐκείνου ποτίμων [ἐμ]ειλωμένως τὰ πολλὰ [ρύθ]ην καὶ τόνῳ κεκλιμένῳ[ι] ἢ καὶ διωργισμένως ἐκφέροντας, ὅταν δ' ἡθος ἐμφαίνειν θέλωσι, κοιλοφώνως καὶ πεπλασμένως λαρυγγίζοντα[s]. (Philodemus, *Papyrus Herculanensis* 1007 col. 18a.8–18)

Nowadays we see that the [sophists] do not employ only the same tone, but deliver the majority of his (sc. Isocrates') pleasing speeches, smoothly pronounced, flowingly, and in changing tone or even angrily; yet whenever they wish to manifest character, they shout indistinctly and affectedly.

The result is that, according to Philodemus, management of emotional tones in delivery was a point of special concern and achievement for contemporary sophists (cf. Winter 2004: 328). Accordingly, manifestation of an identical concern as a theoretical focus in *Rhetorica ad Herennium* may be interpreted as representing sophistic influence.

To the extent that my present argument is acceptable, we may understand many, if not all, of the differences between *De Inventione* and *Rhetorica ad Herennium* as representing their diverging alignments with the interests and motivations of philosophy and sophistic respectively. I do not consider this an especially adventurous conclusion for two reasons. First, it is not controversial that philosophy and sophistic were active intellectual forces in Greco-Roman culture at the turn of the first century BCE. Accordingly, we might expect that their influence would be felt in some way as a distinctively Roman rhetoric became established. Second, both philosophy and sophistic played important roles in the later development of Roman rhetoric. We see their influence clearly in Cicero's *De Oratore* around mid-first century BCE. Certainly, Cicero's requirement of broad learning for the orator, including “the knowledge of all important matters and arts” (1.20; cf. 1.48, 53, 60, 67, 72, 159, 167, 201), is a response to philosophical concerns about oratorical competence (1.41–4, 45–6,

83–93; see Kennedy 1994: 8–9; Gaines 1995: 46–54; May and Wisse 2001: 11). Just as certainly, however, Cicero’s insistence that the scope of oratorical practice includes every subject matter (1.21, 59, 64, 71) reflects his general acceptance of a long-standing sophistic doctrine (frequently attributed to Gorgias by Cicero, *De Or.* 1.103, 3.129, *Inv. Rhet.* 1.7, *Fin.* 2.1). Cicero’s “philosophical” and “sophistic” innovations stimulated constructive responses through the first century CE; for example, we find echoes of his views in Tacitus (*Dial.* 30.2–32.7) and Quintilian (*Inst.* 1 *praef.* 16–17, 2.21.13). And while the voices of philosophy and sophistic had become intermingled by second century CE, both continued to drive rhetorical theory and practice among Latin intellectuals such as Apuleius (consider, e.g., *De Dog. Plat.* 2.8–9, *Flor.*). My contention, then, is simply that among the intellectual forces that affected the development of Roman rhetoric, we find philosophy and sophistic exercising influence from the beginning, not least in its earliest rhetorical handbooks.

FURTHER READING

An introduction to speech-part handbooks as well as other early rhetorical manuals is provided by Kennedy (1959). Philosophical issues associated with Aristotle’s *Rhetorica* are treated in Grimaldi (1972) as well as Furley and Nehamas (1994). The design of Aristotle’s *Rhetorica* for reception by students is discussed by Clayton (2004). Historical matters related to the Hellenistic tradition are addressed in Barwick (1961), in German, and Heath (2002b). Hermagoras’ theory of controversy, including its relations with Cicero’s *De Inventione* and the *Rhetorica ad Herennium* are explored in Barwick (1964), in German; Montefusco (1986), in Italian; and Heath (1994). General accounts of Cicero’s *De Inventione* and the *Rhetorica ad Herennium* are available in Kroll (1940), in German, and Fuhrmann (1960), in German. The textual traditions of *De Inventione* and *Rhetorica ad Herennium* are addressed in Mattmann (1975), in German, and Hafner (1989), in German.

CHAPTER FOURTEEN

Elocutio: Latin Prose Style

Roderich Kirchner

The Term *Elocutio*

The Latin noun *elocutio* (“diction,” “linguistic style”) is derived from the verb *eloqui* (“to speak,” “to articulate”) and is used almost exclusively as a technical term. In Roman rhetorical handbooks *elocutio* means the formulation of a speech’s language according to the principles of rhetoric. Greek equivalents are ἑρμηνεία, λέξις, and φράσις. The Latin term reminds us that ancient rhetoric aims primarily at the production of the spoken word. The English term “style,” which is derived from Latin *stilus* (“stylus for writing”), is inappropriate inasmuch as it stems from literary criticism and is regularly applied to all genres of literature instead of just the spoken word; often, however, “style” is the term most naturally used in discussions of the linguistic usage of Roman orators.

The rules of *elocutio* established by the ancient rhetoricians are of great value for our understanding not only of speeches but of many other ancient texts as well. Rhetoric exerted a strong influence on almost all genres of ancient literature, and the system of *elocutio* covers a wide range of linguistic forms, many of which belong rather to poetry than to oratory (e.g., the trope of periphrasis). Quintilian considers *elocutio* to be the most difficult of the five functions (*officia*) that an orator has to fulfill. Only an orator who succeeds in this regard is both *disertus* (“competent at speaking”) and *eloquens* (“eloquent,” *Inst.* 8 *praef.* 13). But the difficulties inherent in *elocutio* are not caused by its almost infinite variety of rhetorical rules and devices: in Cicero’s dialogue *De Oratore* Crassus points out that even the poorest orator is able to explain them theoretically (3.103). Similarly Dionysius of Halicarnassus says that beginners are particularly interested in diction. They are susceptible to the charm and beauty of language, whereas the treatment of subject matter requires some experience of life (*Comp.* 1.6–7). What both Cicero and Dionysius stress is oratory’s fundamental unity. The thoughts found in the course of *inventio* and arranged through *dispositio* are bound to their polished phrases as closely as body is joined to

soul. They must not be separated from each other (Cic. *De Or.* 3.24). The difficulties of *elocutio* mentioned by Quintilian then seem to lie in choosing the diction appropriate to the orator's specific purpose. Rhetorical handbooks contrast the virtues of diction with its vices (*vitia dicendi*) and regard the latter often as an offense against the requirements of appropriateness.

The handbooks apply to *elocutio* the same penchant for taxonomy as they do to the other parts of oratory. The discussion below follows their taxonomical approach in an attempt to convey both their methodology and their main conceptual distinctions. The pedagogical benefits provided by the handbooks' precise identification of individual stylistic devices should become apparent as our discussion progresses. Naturally only a selection from the extensive examples that they offer can be mentioned here; further examples can be found in the handbook treatments themselves, the references for which are given in brackets at the end of each section below.

The Four Virtues of Diction

Aristotle, in his discussion of diction in the third book of his *Rhetoric*, asserts that the success of an orator's speech depends not just on *what* is said, but *how* (3.1.2–3). He describes a single virtue of diction (λέξεως ἀρετή, *virtus dicendi*) consisting of two aspects: clarity and appropriateness. According to the concept of the golden mean, a speech has to balance the two extremes and ought to be neither too banal nor too brilliant (3.2.1). The opposite of this virtue is discussed in *Rhetoric* 3.3. Aristotle's pupil and successor, Theophrastus of Eresus, appears to have made a fourfold division in his lost treatise *On Diction* (Περὶ λέξεως). He considered the virtues of diction to be: (1) correctness of language ('Ελληνισμός, Latin equivalents are *Latinitas* or *sermo purus et Latinus*); (2) clarity (τὸ σαφές, σαφήνεια, *perspicuitas*, *dilucide planequē dicere*); (3) appropriateness (τὸ πρέπον, *aptum* or *decorum*); and (4) ornament (κόσμος, κατασκευή, *ornatus*, *dignitas*). Whereas correctness, clarity, and appropriateness are virtues necessary in every speech, ornament can be missing in the plain style (Cic. *Orat.* 79). Theophrastus' views, imparted by the Hellenistic theorists of rhetoric, were adopted by Cicero and Quintilian. [Cic. *De Or.* 1.144, 3.37, *Orat.* 79; Quint. *Inst.* 1.5.1, 8.1.1; *Rhet. Her.* 4.17–18, representing a slightly different tradition.]

Virtue 1: Correctness of Language

Latinitas denotes the correct use of the Latin language. It is a grammatical virtue discussed by Quintilian in the sections of his *Institutio Oratoria* concerning preparatory teaching. An orator has four criteria for deciding whether a word meets the requirements of *Latinitas*: (1) the grammatical system based on analogy and etymology; (2) common usage; (3) the practice of literary authorities; and (4) the antiquity of a word. A *barbarismus* ("barbarism") is a wrong form or pronunciation of a single word, for example *precula* for *pergula* (*Inst.* 1.5.12). A *soloecismus* ("solecism") is a syntactically incorrect construction. Each of them can be used deliberately as a figure of speech (*metaplasmus*). [*Rhet. Her.* 4.17; Cic. *De Or.* 3.38–48; Quint. *Inst.* 1.5–7, 8.1.2–3.]

Virtue 2: Clarity

Factual clarity (*perspicuitas in rebus*) is gained in the course of *inventio* and *dispositio* by finding and arranging plausible arguments and proofs. Clarity of diction (*perspicuitas in verbis*) arises above all from the use of the actual name of a thing or an action (ὄνομα κύριον, *verbum proprium*). The vice that lies in the use of totally improper words (ἄκυρία, *improprietas*) is illustrated by Quintilian (*Inst.* 8.2.4) with a verse of Vergil's Dido: *hunc ego si potui tantum sperare dolorem* ("if I could hope for this pain," *Aen.* 4.419). Quintilian seems to complain that the word *timere* ("to fear") is replaced improperly by *sperare* ("to hope"). One might object that "to expect" is not an uncommon meaning of *sperare* (cf. Cic. *De Or.* 3.51). However, the effect of Dido's words is paradoxical rather than lucid. In general, an orator is advised to avoid the vice of *obscuritas* ("obscurity") and to arrange his thoughts and sentences so that they are neither too long nor too short. Obscurity resulting from ellipses (the omission of words in a sentence) or brevity (the condensing of thoughts, called βραχυλογία) is regarded as a characteristic of the compressed diction of the historiographers Thucydides and Sallust (cf. Quint. *Inst.* 10.1.32, 10.2.17).

A vivid description of a person or a scene is called *evidentia* (ἐνάργεια) and means more than mere clarity. It has its place in the narration (*Inst.* 8.3.61–71), where the orator aims to produce a very clear and detailed picture in the audience's mind. Quintilian cites Cicero's *Verrines* 2.5.86: *stetit soleatus praetor populi Romani cum pallio purpureo tunicaque talari muliercula nixus in litore* ("the Praetor of the Roman people, clothed in sandals with a purple Greek robe and a tunic reaching to his ankles, stood leaning on his wife on the beach"). As Quintilian points out, the vividness of the description draws attention to the praetor's inappropriate behavior. [*Rhet. Her.* 4.17; Cic. *De Or.* 3.48–51, 149–52; Quint. *Inst.* 8.2.]

Virtue 3: Ornament

According to Quintilian, the virtue of ornament surpasses those of *Latinitas* and *perspicuitas*. An orator who speaks clearly and correctly merely avoids vices; only ornate diction is actually admirable. Ornament fulfils a psychological function and aims primarily to give *delectatio* ("pleasure") to the listeners. An audience that is willing to listen and that admires the speaker's words is easier to convince. Beauty is thus intended to serve the speech's wider persuasive aims (*Inst.* 8.3.1–11). According to Theophrastus (reported by Dionysius of Halicarnassus, *De Isocrate* 3.1), three things furnish an oration with an effective ornament: (1) the selection of appropriately elegant words; (2) the employment of figures; and (3) the composition of sentences.

The selection of words

The selection of appropriate words (ἐκλογή ὀνομάτων, *dilectus verborum*) has various aspects. When a number of synonyms are available, the sounds of the words must be carefully weighed. Unfortunately, Quintilian (*Inst.* 1.5.4) does not give an example of

what he calls the *vocalitas* (εὐφωνία, “euphony”) of a word. Different contexts require different types of sound; horrible things are best described with rough-sounding words (*verba aspera*) that arouse the audience’s pathos. One example perhaps is provided by the following passage: *hanc tam taetram, tam horribilem tamque infestam rei publicae pestem totiens iam effugimus* (“we have already escaped so often from this so foul, so horrible, and so threatening scourge of the state,” Cic. *Cat.* 1.11). Cicero here seems to have chosen the adjectives *taeter* and *horribilis* partly because of the rough sound caused by the consonant *R* (called the *littera canina*, “barking letter,” by Persius 1.109).

Antiquity (*vetustas*, *antiquitas*) can give additional dignity to a word, an especially useful device for the orator employing the grand style. Quintilian, however, rejects rare archaisms, citing an epigram that mocks Sallust’s archaistic flavor (*Inst.* 8.3.29–30). Sallust uses, for example, the form *omneis* (*Cat.* 1.1) found in Ennius and Plautus instead of the normal *omnes*. An orator is allowed to have archaisms only in prayers or legal formulae as, for example, in *quod di duint* (“may the gods grant it,” Cic. *Phil.* 10.13), where a rare optative of *dare* is used.

A number of stylistic devices are based around word choice. Some of the most common are given below, with examples drawn primarily from my own reading of Cicero. The application of a word to something that it does not properly denote for the sake of ornament is called a trope (τρόπος, *tropus*; we find as well μεταφορά and *translatio*, both in their general meaning). Tropes are primary tools for ornamenting a speech. According to Aristotle, they produce a threefold effect in rendering the speech clear, pleasant, and unfamiliar (*Rh.* 3.2.8–9). This is by no means a contradiction, for the audience finds an intellectual pleasure in solving the riddle inherent in a trope. For instance, Cicero says: *cum . . . fasces essent Syracusis* (“when the bundles of rods were at Syracuse,” *Verr.* 2.5.97). Here he uses *fasces* (the insignia of the Roman magistrates) instead of the proper word *magistratus* (“magistrates”). The riddle is easy to solve in the given context. However, the orator must carefully choose tropes that are neither obscure nor inadequate. Tropes appealing to common experience make the diction clearer and more immediate. But tropes are far more important in poetry than oratory. Aristotle in his *Poetica* deals with the topic methodically (21.7–15) and lists four kinds of trope, all of which he calls metaphors. Later theorists have a greater number of tropes. (For a complete list see J. Martin 1974; Lausberg 1973²; for the nomenclature cf. Ernesti 1795, 1797.)

The metaphor is defined by Quintilian (*Inst.* 8.6.8–9) in accordance with Aristotle (*Rh.* 3.4.1–2) as an abbreviated comparison (*comparatio*, *similitudo*). An explicit comparison is “Achilles fought like a lion”; a metaphor is to call him a lion. The transferred word (“lion”) and the term onto which it is transferred (Achilles, the *nomen proprium*) share the same characteristic (the so-called *tertium comparationis*): both the lion and Achilles are bold. The vice of *dissimilitudo* (“dissimilarity,” Cic. *De Or.* 3.162) arises, if there is no analogy at all between the transferred word and the *nomen proprium*.

Outside rhetorical *ornatus*, everyday language has lots of “dead” metaphors to denote things lacking a *nomen proprium*. The Latin word *pes* (“foot”) might mean the “foot” or “leg” of a bench (e.g., *Rhet. Her.* 4.68) as in the English “leg,” French “pied” or German “Bein.” Examples where a *nomen proprium* is lacking show that the classic definition of metaphor is partly inadequate. Rhetoric utilizes metaphors to

improve immediacy and obviousness (Cic. *De Or.* 3.160). Cicero and other Latin prose writers often qualify a metaphor with an additional *quasi quidam* (“a sort of”) or *ut ita dicam* (“so to speak”) to soften the boldness of the imagery, for example: *ad omnes enim meos impetus quasi murus quidam boni nomen imperatoris opponitur* (“against all of my attacks the title ‘excellent commander’ is put forward like a sort of wall,” Cic. *Verr.* 2.5.2). A largely extended metaphor is called allegory. For example, Cicero describes his own statesmanship as navigation on a stormy sea (*Pis.* 20–1).

Synecdoche (συνεκδοχή) occurs when a *verbum proprium* is replaced by a word that bears a quantitative relationship to it. The most common synecdoche is the replacement of the whole by its part (*pars pro toto*). Cicero, for example, says *tecta ardebunt* (“the roofs will burn,” *Cat.* 1.29) instead of *domus ardebunt* (“the buildings will burn”). The type *genus pro specie* is exemplified by Cicero’s phrase *ei ferrum e manibus extorsimus* (“we wrested the iron [i.e., the sword] from his hands,” *Cat.* 2.2). But we should note that oratorical prose is far more restricted than poetry. According to Quintilian (*Inst.* 8.6.20), an orator is not allowed to use *abies* (“pine”) instead of *tabellae* (“writing-tablets”).

Metonymy (μετωνυμία, ὑπαλλαγή, *denominatio*) is the replacement of a *verbum proprium* by a word that bears a mental or factual relationship to it. The god Mars denotes “war” or “fight” in the phrase *suo Marte* (“of one’s own accord,” e.g., Cic. *Phil.* 2.95). The names of other gods may be substituted in a similar way: *Veneri iam et Libero reliquum tempus deberi arbitrabatur* (“he thought that the remaining time belonged to Venus and Liber,” Cic. *Verr.* 2.5.27). This metonymy is remarkable for its poetic flavor. Quintilian (*Inst.* 8.6.24) recommends substituting *coitus* (“sexual intercourse”) with the goddess Venus for the sake of decency, but particularly emphasizes that only a poet should replace *vinum* (“wine”) by the god Liber (Bacchus).

Emphasis (ἐμφασις, *significatio*) occurs when a word receives a greater and more extended meaning than usual. For example: *cura, ut vir sis* (“be a man!”, Cic. *Cat.* 3.12). Hyperbole (ὑπερβολή, *superlatio*) is a deliberately exaggerated phrase: *quod erit vobis luce clarius, iudices, tum cum eos ipsos produxero qui dederunt* (“it will be clearer than light [i.e., crystal clear] to you, judges, when I have called those who have paid,” Cic. *Verr.* 2.2.186).

Irony (εἰρωνεία, *illusio*) is the replacement of a *verbum proprium* by its opposite, often in a sarcastic manner: *instruite nunc, Quirites, contra has tam praeclaras Catilinae copias vestra praesidia vestrosque exercitus* (“citizens, call your soldiers and your armies together against these oh-so-magnificent [i.e., ridiculous] troops of Catilina!”, Cic. *Cat.* 2.24). Litotes (λιτότης, *deminutio*) expresses the *verbum proprium* by the negation of its opposite. It is often the paraphrase of a superlative, for example, *non enim parum res erat clara* (“for the situation was not too little clear [i.e., was extremely clear],” Cic. *Verr.* 2.4.29).

Periphrasis (περίφρασις, *circuitio*) occurs when a word or a phrase is described by characteristic facts, qualities, or effects. In order to make the pathos of the situation stronger, Cicero says: *propter quos hanc suavissimam lucem aspexit, eos indignissime luce privavit* (“in the most heinous manner he robbed the light [i.e., life] from those people to whom he is indebted for having first seen that wonderful light,” *Rosc. Am.* 63). The simple *parentes interfecit* (“he killed his parents”) would have been less effective. Periphrases are also phrases like *Caesenni VIIviralis auctoritas* (“the

authority of the septemvir Caesennius,” Cic. *Phil.* 12.23). Latin prose prefers in many contexts the more concrete verb to the abstract noun. Cicero expresses the abstract noun “opinion” with a verb in a relative clause *dicam id quod sentio* (“I will say what I think,” Cic. *Cat.* 3.17). Of course, this is not an instance of rhetorical periphrasis, but aims at rendering diction clearer.

Antonomasia (ἀντωνομασία, *pronominatio*) is the periphrase of a proper name by an epithet, patronymic, or appellative. Quintilian (*Inst.* 8.6.30) quotes Cicero in the following passage: “*non multa peccas,*” *inquit ille fortissimo viro senior magister* (“‘you err seldom,’ said this old teacher [Phoenix] to the bravest hero [Achilles],” Cic. *Mur.* 60). In contrast with modern languages, Latin prose tends to avoid antonomasia, preferring to employ the simple pronoun when a name has been used immediately before. As pointed out in the following translation, the Latin *is* means more than just “he”: *apud Helvetios longe nobilissimus fuit et ditissimus Orgetorix. is . . . coniurationem nobilitatis fecit* (“Among the Helvetians, Orgetorix was the noblest and richest by far. This ambitious leader instigated a conspiracy of the nobility,” Caes. *B Gall.* 1.2.1). [Cic. *De Or.* 3.152–70; *Rhet. Her.* 4.42–6 (on tropes); Quint. *Inst.* 8.6 (on tropes). Pseudo-Trypho (first century BCE) *De Tropis* (Spengel 1861: 3.191–206) is a brief Greek treatise on the subject.]

Figures

As we have seen, tropes are defined by the change of a *verbum proprium*; they are therefore discussed in connection with word choice (*dilectus*). Figures, by contrast, are formed when an orator deliberately arranges the words he has chosen in a special way. Thus, the theory of ornament devotes a particular section to figures. Gorgias of Leontini is said to have been the first to use figures extensively. The Latin word *figura* means “form,” “shape,” or “frame” and is used by Quintilian as equivalent to the Greek word *σχήμα*. Cicero does not have *figura*, but uses *lumen* (“light,” “highlight”) or *forma*, while the *Auctor ad Herennium* calls figures *exornationes* (“embellishments”). Both of them seem to recognize that every speech has some form but is not necessarily ornamented by figures. Therefore, according to Quintilian, a figure is produced when the simple and normal way of speaking is changed for the sake of poetical or rhetorical ornament (*Inst.* 9.1.13). Both the Latin and Greek languages allow various kinds of figures because word order is highly flexible. One of the difficulties associated with figures is distinguishing whether a phrase is “normal” or an intentional deviation from the norm.

On the one hand, the classification of *figurae* is one of the most detailed parts of ancient rhetoric and provides the ancient orator as well as the modern critic with an apt instrument for writing or understanding texts. On the other, its predominance might lead us to view figures as the sole kind of ornament and in turn identify diction with figures alone. But this of course would be an oversimplification since diction depends on the choice of words and their arrangement as well as on figures. Furthermore, while the analyses of figures and other stylistic devices can improve our understanding of texts (speeches as well as others), they provide only a microscopic perspective on individual phrases. We have to ask what purpose a figure serves in the context of the whole speech and how an orator uses it for achieving his wider aims (Ax 1976: 141–9).

Figures are divided into figures of speech (τὰ τῆς λέξεως σχήματα, *figurae verborum*, *figurae elocutionis*) and figures of thought (τὰ τῆς διανοίας σχήματα, *figurae sententiae*). The term σχῆμα (*figura*) properly denotes the former; but is applied to figures of thought as well (Cic. *Orat.* 83). Rhetorical theory explains the difference between figures of speech and figures of thought as follows (*De Or.* 3.200): a figure of speech dissolves when the words used in the phrase are changed. But a figure of thought remains whichever words are used. In general, figures of speech concern the arrangement of words in a sentence; *figurae sententiae* are linguistic patterns of thought. The following selections cover the most common figures (for a complete list see Martin 1974; Lausberg 1973²; for the nomenclature cf. Ernesti 1795, 1797). [The system of figures was developed by Hellenistic theorists following the Attic orators (particularly Gorgias and Isocrates), Aristotle, and Theophrastus. The Hellenistic sources, from which the accounts in *Rhet. Her.* 4.19–69, Cic. *De Or.* 3.202–7, and *Orat.* 135–8 derive, are lost. Quintilian deals with figures in two chapters of his *Institutio Oratoria* (9.2–3). We have further Latin treatises written for educational purposes: Rutilius Lupus (*Schemata Lexeos*, early first century CE) abridged the Greek treatise of the younger Gorgias (first century BCE). Aquila Romanus (*De Figuris Sententiarum et Elocutionis*, perhaps third century CE) wrote about figures following Alexander Numenius, *On Figures* (Περὶ σχημάτων, second century CE) and gives a lot of illustrations from Cicero. He is supplemented by Iulius Rufinianus (*De Figuris Sententiarum et Elocutionis*, third or fourth century CE). These texts are collected by Halm (1863): 3–47.]

Figures of speech

Probably under Stoic influence (Barwick 1957: 88–111), the system employed by ancient grammarians and rhetoricians to describe barbarisms was also applied to figures (cf. Quint. *Inst.* 1.5.6 on the four-part system: *inmutatio* (“replacement”), *adiectio* (“addition”), *detractio* (“omission”), and *transmutatio* or *ordo* (“transposition”); cf. *Inst.* 9.3.27). According to Lausberg (1973²: secs 552 and 606), tropes are placed in the category of the replacement of words, while figures of speech may be arranged with the help of the other three categories, namely: (1) the accumulation of similar words or the addition of different words; (2) the omission of words that are normally expected; and (3) the transposition of words. It should be noted, however, that there are only traces of such a systematization in the extant ancient accounts.

Figures formed by accumulating similar words or adding different words

Geminatio (ἐπανάληψις, ἀναδίπλωσις) is the repetition of one or more words, mostly to increase the pathos: *fuit, fuit ista quondam in hac re publica virtus* (“there was, there was once in this state such valor,” Cic. *Cat.* 1.3).

Climax (κλίμαξ) is an extended *gradatio* in an ascending arrangement: *non sensi hoc, et non suasi; neque suasi, et non ipse facere coepi; neque facere coepi, et non perfeci; neque perfeci, et non probavi* (“I did not think that; nor did I advise that. I did not advise that; nor did I begin to carry it out. I did not begin to carry it out; nor did I accomplish it. I did not accomplish it nor did I approve of it,” *Rhet. Her.* 4.34, quoting Dem. *De Cor.* 179). The common use of the term climax often differs from

the ancient meaning and simply denotes an ascending arrangement of words. For example: *facinus est vincire civem Romanum, scelus verberare, prope parricidium necare* ("it is a terrible thing to bind a Roman citizen, a crime to have him whipped, and tantamount to parricide to kill him," Cic. *Verr.* 2.5.170).

Anaphora (ἀναφορά, *repetitio*) is the repetition of a word at the beginning of successive clauses or sentences: *me cuncta Italia, me omnes ordines, me universa civitas . . . consulem declaravit* ("all Italy has declared me, all classes have declared me, the whole population has declared me to be consul," Cic. *Pis.* 3). Epiphora (ἐπιφορά, *conversio*) is the repetition of a word at the end of successive clauses or sentences: *de exilio reducti a mortuo; civitas data . . . a mortuo . . . sublata vectigalia a mortuo* ("they were called back out of exile by a dead man; citizenship was given by a dead man; taxes were eliminated by a dead man," Cic. *Phil.* 1.24). Symploce (συμπλοκή, *complexio*) is a combination of anaphora with epiphora: *quis legem tulit? Rullus. quis maiorem partem populi suffragiis prohibuit? Rullus. quis comitiis praefuit . . . ? idem Rullus* ("Who proposed the law? Rullus. Who stopped the majority of the population from voting? Rullus. Who led the assembly . . . ? Rullus as well," Cic. *Leg. Agr.* 2.22).

Paronomasia (παρονομασία, *annominatio*) is a juxtaposition of similar-sounding words, often with antithetical meanings: *sin et poterit Naevius id quod libet et ei libebit id quod non licet, quid agendum est?* ("but what is to be done when Naevius can do what he likes, and what he likes is not allowed?," Cic. *Quinct.* 94). Alliteration (the term is modern) is a special type of paronomasia: the use of the same letter or sound at the beginning of words that are close together: *at vivis et viges* ("and yet you live and flourish," Cic. *Scaur.* 50).

Homoeoteleuton (ὁμοιοτέλευτον) involves successive clauses ending with the same sounds: *hic tibi gravissimus auctor ad instituendam, fidelissimus socius ad comparandam, fortissimus adiutor ad rem perficiendam fuit* ("for you he was the best accomplice for planning, the truest comrade for preparing, the best helper for completing the task," Cic. *Dom.* 30).

Polyptoton (πολύπτωτον) is the employment of the same word in different cases: *multi ex multis locis praedones* ("many robbers from many places," Cic. *Sest.* 45).

Figures formed by omitting words normally expected

Ellipsis (ἔλλειψις) is the deliberate omission of a word or words from a sentence for the sake of brevity, when the meaning can be understood without them. Everyday language is often elliptical. In Latin, forms of *esse* ("to be") or a verb like *dicere* ("to speak") can be omitted easily. For example: *sed nimis multa de nugis: ad maiora veniamus* ("but [I'm talking] too much about trivialities: let's turn to more important things," Cic. *Phil.* 2.78). Asyndeton (ἀσύνδετον, *dissolutio*) is the omission of a conjunction: *peroravit aliquando, adsedit; surrexi ego* ("he finally finished his speech, sat down; I stood up," Cic. *Rosc. Am.* 60). With an asyndeton *adversativum* a sharp contrast is expressed: *cum ducibus ipsis – non cum comitatu adsectatoribusque confligant* ("they should argue with the leader directly – on no account with their retinue and their followers," Cic. *Balb.* 62). The opposite of asyndeton, the repeated use of conjunctions, is called polysyndeton (πολυσύνδετον): *id ego et fateor et laetor et tibi etiam in hoc gratulor* ("I admit it, and I'm happy about it, and I even congratulate you on it," Cic. *Planc.* 91).

Zeugma (ζεύγμα) is when a verb belongs to two or more nouns syntactically, but fits only one of them. For instance: *multorum te etiam oculi et aures non sentientem ... speculabuntur atque custodient* (“the eyes and ears of many people will without you noticing it watch over and guard you,” Cic. *Cat.* 1.6).

Figures formed by transposing words

Hyperbaton (ὑπερβατόν, *transgressio*) is the separation of words which belong together, often to aid the rhythmical structure of a sentence. For example, the words *in duas* and *partes* belong together but are separated in the following passage: *animadverti, iudices, omnem accusatoris orationem in duas divisam esse partes* (“I noticed, gentlemen of the jury, that the whole address of the prosecutor is divided into two parts,” Cic. *Clu.* 1). Quintilian (*Inst.* 8.6.65) says that the word order *in duas partes divisam esse* would be correct but crude and unrefined.

Isocolon (ἰσόκωλον; the equivalent term “parallelism” is modern and stems from the Semitic philology) is the same structure in two or more coordinate clauses: *superavi ... dignitate Catilinam, gratia Galbam* (“I exceeded Catiline in dignity, Galba in grace,” Cic. *Mur.* 17).

Figures of thought

Figures of thought are patterns which provide an orator with various ways to address his audience and to arrange his thoughts. One might compare these with the standardized *topoi*, using which an orator is able to find plausible arguments and proofs in the course of *inventio*. But whereas the *topoi* are based on formal logic and arranged systematically, the figures of diction are a loose collection.

Apostrophe (ἀποστροφή, *aversio*) is when an orator turns away from his audience to address a special person or thing. For example: *vos enim iam, Albani tumuli atque luci, vos, inquam, imploro atque testor* (“for I implore and beg you, you, I say, o hills and groves of Alba,” Cic. *Mil.* 85).

Interrogatio (ἐρώτημα) involves an orator phrasing a thought as a question to which no answer is expected and exaggerating the pathos of his speech (in essence, a rhetorical question): *quo usque tandem abutere, Catilina, patientia nostra?* (“how much longer, Catilina, do you want to abuse our patience?”, Cic. *Cat.* 1.1).

Dubitatio (διαπόρησις): the orator acts as if he does not know how to proceed and asks the audience for advice. For example: *quid primum querar aut unde potissimum, iudices, ordiar, aut quod aut a quibus auxilium petam?* (“what should I first lament, where should I start, o judges, or who should I first ask for help?”, Cic. *Rosc. Am.* 29).

Correctio (ἐπανόρθωσις) is when an orator replaces a word or phrase he had used immediately before by a more appropriate word or phrase: *ego quanta mala florentissimae familiae sedavi vel potius sustuli* (“what extreme pains of this grand family have I soothed, or better said, alleviated,” Cic. *Phil.* 2.46).

Antithesis (ἀντίθετον, *contentio*) is the use of words or phrases with opposite meanings. The grammatical structure is often asyndetic. For example: *ex hac enim parte pudor pugnat, illinc petulantia; hinc pudicitia, illinc stuprum; hinc fides, illinc fraudatio* (“here fights dignity, there petulance; here decency, there debauchery; here loyalty, there fraudulence,” Cic. *Cat.* 2.25).

Oxymoron (ὀξύμωρον) is the paradoxical juxtaposition of two contrary terms: *de te autem, Catilina, cum quiescunt, probant, cum patiuntur, decernunt, cum tacent, clamant* ("but as far as you are concerned, Catiline, by acquiescing, they show their approval; by tolerating, they cast their vote; by being silent, they shout their protests," Cic. *Cat.* 1.21).

Exclamation (ἐκφώνησις) involves the use of an often elliptical phrase designed to express high emotion: *o tempora, o mores!* ("what times, what customs!", e.g., Cic. *Verr.* 2.4.56).

Sermocinatio (ῥητοποιία) involves the speaker quoting a person for the sake of characterization: *me quidem, iudices, exanimant et interimunt hae voces Milonis quas audio assidue et quibus intersum cotidie. "valeant" inquit "cives mei, valeant; sint incolumes"* ("your honors, I am pained and frightened by these words of Milo which I continually hear and daily dwell upon: 'May my fellow citizens be in good health, may they still be alive,' " Cic. *Mil.* 93).

Personification (προσωποποιία, *personae fictio*) is when a thing or a deceased person appears and speaks. For example, *etenim si mecum patria . . . si cuncta Italia, si omnis res publica loquatur: "M. Tulli, quid agis"* ("if my country, if the whole of Italy, if the whole state spoke to me: 'Marcus Tullius, what are you doing?'," Cic. *Cat.* 1.27).

Praeteritio (παράλειψις, ἀντίφρασις) is when an orator mentions something only to state that he will omit further discussion of it, for example, *omitto iuris dictionem . . . contra leges senatusque consulta, caedes relinquo, libidines praetereo* ("I overlook the judgment in contradiction of the law and the decrees of the senate, I do not mention the murders, I pass over the debaucheries," Cic. *Prov. Cons.* 6). The effect is to draw attention to the subject albeit briefly.

Maxims and epigrams

A maxim (γνώμη, *sententia*) is a succinct universal saying that concerns human life and shows a generally accepted truth as, for example, *nihil est tam popolare quam bonitas* ("nothing is as popular as goodness," Cic. *Lig.* 37). Aristotle deals with the maxim in his discussion of proofs (*Rh.* 2.21.1–16). The *Rhetorica ad Herennium* and Quintilian, influenced by the Hellenistic tradition, regard them primarily as elements of ornament. Furthermore, the term *sententia* is also employed in a broad sense to denote a pointed phrase or a short paradoxical epigram. *Sententiae* can be of a general as well as of a particular nature. Quintilian cites an instance of paradoxical antithesis from Cicero's invective against Piso: *quid quod miser, cum loqui non posset, tacere non poterat?* ("What can I say? Although this unfortunate man was incapable of speaking, he could not be quiet," frag. 3, Nisbet 1961). Epigrams of this kind are typical elements of the so-called modern style. The elder Seneca collected various examples from contemporary declaimers. These illustrate the prevailing interest of this epoch in *sententiae*. The younger Seneca and Tacitus were greatly influenced by this modern style. Quintilian criticizes the extreme use of epigrams, but falls far short of condemning the modern style as a whole (*Inst.* 8.5.25–34). [*Rhet. Her.* 4.24–6; Quint. *Inst.* 8.5.]

Composition

The theory of the composition of sentences (*ἁρμονία* or *σύνθεσις*, *compositio*) has three parts: (1) *ordo* (“the arrangement of single words”); (2) *iunctura* (“their conjunction”); and (3) *numerus* (“prose rhythm”). Words in a sentence are often arranged in a progressive order. Quintilian (*Inst.* 9.4.23) cites an example from Cicero: *tu istis faucibus, istis lateribus, ista gladiatoria totius corporis firmitate* (“you with such a throat, such a chest, such gladiatorial strength in your whole body,” Cic. *Phil.* 2.63). The order of “throat”–“chest”–“whole body” ascends from the minor to the major, and the length of the terms increases (according to Behaghel’s law of increasing constituents; see Behaghel 1909–10).

Hiatus occurs when a final vowel or diphthong, or vowel plus *m* is combined with a vowel at the beginning of the following word, or before *h* plus vowel. In the conjunction of words, written Latin does not strictly avoid hiatus: in spoken Latin vowels tended to be run together anyway (Quint. *Inst.* 9.4.36). Only the juxtaposition of the same long vowels should be avoided, but even in Cicero we find instances of this, for example, *a principio ordiamur* (Cic. *Phil.* 2.44). Prose (*oratio soluta*) does not require any metrical structures. But Cicero and other prose writers use metrical patterns at the end of a sentence or a clause (*clausula*). The theories of the Roman rhetoricians are based on Greek models and describe Latin prose-rhythm insufficiently. Modern research (Zieliński 1914) distinguishes the following main types preferred by Cicero (— *longum*; ∪ *breve*; ∩ *anceps*):

- 1 catalectic double cretic: — ∪ — — ∩

per|icūlūm vītānt (Cic. *Rosc. Am.* 1)

- 1b with a resolution of the second length in the cretic: — ∪ ∪ — — ∩

ēssē vīdēātūr (very frequent in Cicero)

- 2 double cretic: — ∪ — — ∪ ∩

cēssit aūdāciāe (Cic. *Caecin.* 1)

- 3 cretic and ditrochee: — ∪ — — ∪ — — ∩

ōptimās dēfērēbāt (Cic. *Phil.* 1.2)

Cicero avoids anything reminiscent of verse and particularly the heroic *clausula* at the end of a hexameter (— ∪ ∪ — — ∩). For instance, he uses the words *esse videtur* only once at the end of a sentence in a speech (*Har. Resp.* 6). The same words in the subjunctive (*esse videatur*) are so frequent that he is mocked by later critics for it (Tac. *Dial.* 23.1). [Cic. *De Or.* 3.171–98, *Orat.* 149–236; Quint. *Inst.* 9.4. Dionysius of Halicarnassus deals in *De Compositione Verborum* with examples taken from Greek Classical authors.]

Virtue 4: Appropriateness

An oration is made clearer by avoiding ornaments. However, this tends to be monotonous in the long run. Therefore, the main task of the fourth virtue of diction, *aptum*, is to balance the requirements of *perspicuitas* and *ornatus*. Quintilian does not give a strict definition of the virtue of appropriateness, but describes various flaws and offenses against it (*Inst.* 8.3.42–60). If one always uses the same figures and word order (the vice of *ὁμοείδεια*), one will offend against the rule of variety (*ποικιλία*, *variatio*). Pleonasm (*πλεονασμός*) is the use of superfluous words. Quintilian illustrates it with the sentence *ego oculis meis vidi* (“I saw it with my eyes”), where the pronouns and the mention of the instrument are superfluous and the simple *vidi* (“I saw it”) would have been sufficient within a normal context. The clarity and the efficiency of an orator’s words may be increased by the accumulation of synonyms (*συνωνυμία*): *non feram, non patiar, non sinam* (“I will not bear it, not suffer it, not allow it,” *Cic. Cat.* 1.10). Diction that is regarded as affected or frosty is called *kakozelon* (*κακόζηλον*, *mala adfectatio*) or *psychron* (*ψυχρόν*, *frigidum*).

Furthermore, diction only meets the requirements of appropriateness if it suits the general purposes of the speech. Cicero (*De Or.* 3.210) lists four features that determine what is appropriate on any given occasion: *causa* (the specific case or type of speech), *auditor* (the audience), *persona* (the orator himself), and *tempus* (the circumstances of the speech). Trifling matters of course require a diction different from that appropriate to very serious crimes, while forensic oratory naturally differs from deliberative oratory. The system of the three styles of speaking (or types of diction) was thus developed, as a guide to the correct stylistic register to employ in different contexts. [*Cic. De Or.* 3.210–12, *Orat.* 71–4; *Quint. Inst.* 11.1.]

The Three Styles of Speaking

The three styles of speaking, or types of diction (*γένη* or *χαρακτήρες τῆς λέξεως*, *genera dicendi*), were most probably developed by Theophrastus (as were the four virtues of diction). We have a threefold division into the plain, middle, and grand styles. These three styles are the area where rhetoric comes closest to literary criticism. They are used in particular to classify the style of the classic Greek orators (plain style: Lysias; middle: Isocrates or Demetrius of Phaleron; grand: Demosthenes). Nevertheless, as Cicero points out (*Orat.* 100–12), the perfect orator is a master of every one of the three styles and is able to find the one that accords best with his aim. As an example of the plain style, Cicero takes from his own oeuvre the speech *Pro A. Caecina* where he deals with humdrum legal matters. He illustrates the middle style with his speech for Pompey *Pro Lege Manilia* (*De Imperio Cn. Pompei*) where the encomiastic matter requires a tone neither too simple nor too emotional. The grand style is used in the trial of Gaius Rabirius Postumus who was accused of high treason (*Pro C. Rabirio*). Cicero employs the grand style in this speech because he sets out to defend not just Rabirius but also, as he claims, *maiestas populi Romani* (“the majesty of the Roman people,” *Sest.* 83) in general. Cicero’s speeches against Gaius Verres are examples of texts containing all three styles.

The three types can also characterize single parts rather than the whole of a speech and have a close relation to the three duties of an orator to instruct (*probare, docere*), to delight (*conciliare, delectare*), and to move his audience (*movere, flectere*; cf. Cic. *Orat.* 69). The plain style (*γένος ἰσχνόν, genus tenue* or *subtile*), for example, is used to describe facts and instruct the hearer. It is particularly suitable for the *narratio* (“narration”) and the *probatio* (“proof”). This style avoids the use of rhythmical patterns and employs metaphors for the sake of clarity rather than ornament. Some figures of speech (primarily assonance, homoeoteleuton, *geminatio*, and anaphora) should be used only rarely because the ornament should be neither too sonorous nor too pathetic. Unusual figures of thought like *personificatio* or *interrogatio* do not belong to the plain style. The words should be taken from everyday language, and the structure of the sentences should be neither too complicated nor too long.

The middle style (*γένος μέσον, genus medium*; another term is *γένος ἀνθηρόν, genus floridum*, “flowery style”) is regarded as a combination of both the plain and the grand. Rhetorical theory demands that it be richly ornamented with all kinds of tropes and figures that help to render the speech elegant and pleasant. Grammatical structures are often set out in isocola, and the middle style is particularly suited to epideictic speeches or epideictic parts of a speech.

The grand style (*γένος μεγαλοπρεπές, genus grande*) belongs to political rhetoric or the emotional parts of a forensic speech where an orator does not aim at delighting, but at moving his audience. As Cicero emphatically says (*Orat.* 97), this style sets out to instill new opinions in the listener and remove old ones, employing figures avoided by the speaker in the plain style. In this case the orator is allowed to use poetic words and archaisms (*De Or.* 3.153), and the sentences ought not to be too smooth. The grand style has its place mainly at the end of the speech (*peroratio*) where one tries to influence the emotions of the audience (cf. Quint. *Inst.* 6.1). According to the treatises, the grand orator always runs the risk of being carried away by his enthusiasm and failing to achieve the required tenor, producing instead a frosty and ineffectual style (Cic. *Orat.* 98–9; Longinus *Subl.* 33.2–3); the grand style is thus best used in combination with the two others.

In the last centuries of the Roman republic, the plain style was favored by the so-called Roman Atticists. Gaius Licinius Macer Calvus, Quintus Cornificius, Marcus Iunius Brutus, and others seem to have practiced a particularly plain diction without strong ornament and with a focus on the purity of language. It seems plausible that Caesar shared their ideas; in a fragment of his treatise *On Analogy* we read the maxim that one should steer clear of a strange and unfamiliar word as from a reef (Gell. *NA* 1.10.4). Roman Atticism is thus assumed to have been connected with the grammatical theory of analogy. But the small number of fragments (collected in Malcovati 1976⁴) makes it hard to judge the principles and practices of the Roman Atticists. What we do know, however, is that they followed the model of Lysias and Hyperides, attacked Cicero for his pompous and ornate diction, and criticized it as being “Asian” in contrast to the “Attic.” In the *Brutus* Cicero uses a double strategy to defend his position against these attacks. On the one hand, he reproaches the Atticists for employing a diction inadequate for the needs of forensic and political oratory (cf. *exiliter dicere*, “to speak in an impoverished manner,” *Brut.* 289); on the other, he ascribes the “Asian” diction to his own rival Hortensius (325). Cicero occupies a middle position between both extremes. He thus presents himself as the peak of

Roman oratory and the Roman Demosthenes. Although he is a master of all the styles, he is particularly skilled in the grand.

During the reign of Augustus, the Greek critic Dionysius of Halicarnassus developed a different concept of Atticism (in the preface to his *De Antiquis Oratoribus*). It is not clear how far his ideas were influenced by the Roman version, although he does connect a return to the classic norms established by the Attic orators with Augustus' defeat of Mark Antony and Cleopatra at Actium. He claims that the corruption of language disappeared at the end of the Hellenistic period. As a genuine classicist and literary critic, Dionysius recommends studying and emulating the writers of the Greek Classical period. [*Rhet. Her.* 4.11–16; Cic. *Orat.* 75–99; Quint. *Inst.* 12.10. The *De Elocutione* of pseudo-Demetrius describes the three genres of diction and adds the category of the forceful style (δευότης) represented by Demosthenes.]

FURTHER READING

The nomenclature of *elocutio* is described thoroughly in the lexica of Ernesti (1795, 1797), in Latin, and Ueding (1992–), in German. Martin (1974), in German, discusses the system of *elocutio* and its development from the fifth century BCE until late antiquity. Lausberg's comprehensive handbook (1973² in German; 1998 in English) is primarily devoted to systematizing ancient rhetoric. Clarke (1996³) and the monumental works of Kennedy (1963, 1972, 1994) provide surveys of the history and theories of rhetoric and prose style; they also discuss the teachers of oratory as well as the orators themselves. Norden (1915), in German, and Leeman (1963) utilize the ancient theory of *elocutio* and its terms as instruments of literary criticism.

CHAPTER FIFTEEN

Memory and the Roman Orator

Jocelyn Penny Small

[memoria] . . . quanta divinitas illa, nisi in hoc lumen orandi extulisset. non enim rerum modo sed etiam verborum ordinem praestat, nec ea pauca contextit sed durat prope in infinitum, et in longissimis actionibus prius audiendi patientia quam memoriae fides deficit. (Quintilian, *Institutio Oratoria* 11.2.7–8; tr. H. Butler 1920)

It is memory that has brought oratory to its present position of glory. For it provides the orator not merely with the order of his thoughts, but even of his words, nor is its power limited to stringing merely a few words together; its capacity for endurance is inexhaustible, and even in the longest pleadings the patience of the audience flags long before the memory of the speaker.

Imagine a lawyer, politician, or news anchor without notes or a teleprompter. None of them would survive today, because we are no longer formally trained to memorize, unless, of course, we become entertainers. Nor do we have to remember what has been said, when we can look at a videotape or consult an online newspaper. Before the advent of our wonderful artificial methods of recording, the only obvious means for recall was human memory. Even if you wanted to recall a particular literary passage in a work you owned, you would rely on your memory, because no other simpler means was available to find the individual word, the specific line, or an entire passage, when texts were generally without interior markings to indicate sentences, paragraphs, pages, lines, etc. As a result, over the centuries various techniques were invented to improve human memory and most of them first appeared in classical antiquity, even if they were further refined in much later eras (Yates 1966; Carruthers 1990; Small 1997). Moreover, the art of memory, or mnemotechnics, applied not just to memorizing the facts in a law case or written speeches, but also to their composition. Memory was a multifaceted tool.

The ancient sources agree that Simonides of Ceos (c. 556–468 BCE) invented mnemotechnics (Cic. *De Or.* 2.353–4; Quint. *Inst.* 11.2.11–17). The timing of the invention is important. Two things happened in the early fifth century BCE that

affected the way the Greeks viewed memory. Because the number of written words had reached an unwieldy amount, changes in dealing with them had to occur. There were simply too many words with which to cope without some kind of improved retrieval system. Second, with writing comes the concept of a fixed text that must be repeated word for word – a phenomenon that made a poet as natural as an inventor of a system for memorization. He had to have a good memory, because he still recited his works orally. Yet, unlike earlier oral singers, like Homer, he did not compose anew for each performance, but delivered the text he had written ahead of time. At the same time the need for a good memory became apparent in other aspects of classical society: speeches were made to the populace, cases needed to be argued in the law courts, and actors had to know their lines.

As a result, the most highly educated people in antiquity learned mnemotechnics as part of their rhetorical training. Although no ancient text on rhetoric omitted reference to memory, memory itself did not become a formal division of rhetoric until some time in the Hellenistic period, probably in the late second century BCE. This fact is terribly important, because it has often been maintained that increasing literacy meant less rather than more reliance on memory. If that were the case, then training in mnemotechnics would have disappeared from the curriculum rather than being given a greater role in education. The Muses, the daughters of Mnemosyne (Memory), would have slowly faded in importance instead of becoming more and more important (Small 1997: 72–8). Instead both the Greeks and the Romans continually refined and added to their techniques for improving memory. Here I discuss only the Roman methods. The Roman orator needed to remember two kinds of thing, sometimes simultaneously: the exact words that he had to say and a list of items, such as the topics of his speech or the facts of a case, all in the right order.

Quintilian's Advice

I begin with the later of the two extended Roman discussions on memory, because Quintilian presents a more understandable description of how the system of *loci* or “places” (*topoi* in Greek) works. He says:

loca deligunt quam maxime spatiosa, multa varietate signata, domum forte magnam et in multos diductam recessus. in ea quidquid notabile est animo diligenter adfigunt, ut sine cunctatione ac mora partis eius omnis cogitatio possit percurrere . . . sit autem signum navigationis ut ancora, militiae ut aliquid ex armis. haec ita digerunt. primum sensum vestibulo quasi adsignant, secundum, puta, atrio, tum in pluvia circumeunt, nec cubiculis modo aut exedris, sed statuis etiam similibusque per ordinem committunt. hoc facto, cum est repetenda memoria, incipiunt ab initio loca haec recensere, et quod cuique crediderunt reposcunt, ut eorum imagine admonentur . . . quod de domo dixi, et in operibus publicis et in itinere longo et urbium ambitu et picturis fieri potest. etiam fingere sibi has imagines licet. (Quintilian, *Institutio Oratoria* 11.2.18–21; tr. H. Butler 1920 adapted)

Some place is chosen of the largest possible extent and characterized by the utmost possible variety, such as a spacious house divided into a number of rooms. Everything of note therein is carefully committed to the memory, in order that the thought may be enabled to run through all the details without let or hindrance . . . let us suppose that the

symbol is drawn from navigation, as, for example, an anchor or from warfare, as, for example, some weapon. These symbols are then arranged as follows. The first image is placed, as it were, in the entrance; the second, let us say, in the atrium; the remainder are placed in due order all round the impluvium and entrusted not merely to bedrooms and bays, but even to the care of statues and the like. This done, as soon as the memory of the facts requires to be revived, all these places are visited in turn and the various deposits are demanded from their custodians, as the sight of each recalls the respective details. . . . What I have spoken of as being done in a house, can equally well be done in connection with public buildings, a long journey, the ramparts of a city, or even pictures. Or we may even imagine such places to ourselves.

Quintilian stresses the need for an appropriate scale, clear images, and sequential order, which he describes with the lovely phrase of *fiunt singula conexa quodam choro* (“linked one to the other like dancers hand in hand,” *Inst.* 11.2.20; tr. H. Butler 1920). He recommends a single, but relatively complex path that would be taken naturally, as you would, for example, go from room to room in a house. This house should be *quam maxime spatiosa* (“of the largest possible extent”) as long as it does not violate the physical constraints of our visual system and has a sufficient number of distinguishable nooks and crannies in which to “deposit” the various things to remember. You do not want to be in the situation of having too many things to remember and not enough places to put them. You are not supposed to tack on another house when you run out of room in the first one, but are to choose one from the start that will suit your needs. In a way, it is like the planning needed before buying a real house: it should have enough space to hold all of your possessions so that you will not have to store your towels at a neighbor’s.

S. the Mnemonist

It might seem at first that it should make no difference whether you use the Grand Canyon or an atom for your setting for distributing the things you need to remember. Consider the mnemonist, Shereshevskii or S., as he was called by the Soviet psychologist A. R. Luria (1987: 32, 35–6, 41) in his classic study, *The Mind of a Mnemonist*:

[H]e would “distribute” [what he had to memorize] along some roadway or street he visualized in his mind . . . he would take a mental walk along that street . . . [His] omissions [in recall] . . . clearly were not *defects of memory* but were, in fact, *defects of perception* . . . [S. explained, with the omitted items in italics]:

I put the image of the *pencil* near a fence . . . the one down the street, you know. But what happened was that the image fused with that of the fence and I walked right on past without noticing it. The same thing happened with the word *egg*. I had put it up against a white wall and it blended in with the background. How could I possibly spot a white egg up against a white wall? . . .

Increasing the dimensions of his images, seeing to it that the images were clearly illuminated and suitably arranged . . . marked the first step in S.’s technique of eidetic images, which described the second phase of his memory development.

In other words, if you want to remember your shopping list, you stroll down the street and distribute each item, in the order you take your walk, against the local landmarks. Like your walk, the order remains the same for every list of items you need to recall. One day you might put the orange juice by the fence, and the next day it might be tomatoes. It is particularly important to note again that this form of mnemotechnics is constrained by our physical visual systems. Quintilian is skeptical of the effectiveness of the system:

equidem haec ad quaedam prodesse non negaverim, ut si rerum nomina multa per ordinem audita reddenda sint . . . et forsitan hoc sunt adiuti qui auctione dimissa quid cuique vendidissent testibus argentariorum tabulis reddiderunt; . . . minus idem proderit in ediscendis quae orationis perpetuae erunt: nam et sensus non eandem imaginem quam res habent, cum alterum fingendum sit; et horum tamen utcumque commonet locus, sicut sermonis alicuius habiti: verborum contextus eadem. arte quo modo comprehenditur? mitto quod quaedam nullis simulacris significari possunt, ut certe coniunctiones. habeamus enim sane, ut qui notis scribunt, certas imagines omnium et loca scilicet infinita, per quae verba quot sunt in quinque contra Verrem secundae actionis libris explicentur, meminerimus etiam omnium quasi depositorum: nonne impediri quoque dicendi cursum necesse est duplici memoriae cura? (Quintilian, *Institutio Oratoria* 11.2.23–5; tr. H. Butler 1920 adapted)

I am far from denying that those devices may be useful for certain purposes, as, for example, if we have to reproduce a number of names in the order in which we heard them. . . . Such a practice may perhaps have been of use to those who, after an auction, have succeeded in stating what object they had sold to each buyer, their statements being checked by the books of the money-takers. . . . It will, however, be of less service in learning the various parts of a set speech. For thoughts do not call up the same images as material things, and a symbol requires to be specially invented for them, although even here a particular place may serve to remind us, as, for example, of some conversation that may have been held there. But how can such a method grasp a whole series of connected words? I pass over the fact that there are certain things that are impossible to represent by symbols, as, for example, conjunctions. We may, it is true, like shorthand writers, have definite symbols for everything, and may select an infinite number of places to recall all the words contained in the five books of the second pleading against Verres, and we may even remember them all as if they were deposits placed in safe-keeping. But will not the flow of our speech inevitably be impeded by the double task imposed upon our memory? For how can our words be expected to flow in connected speech, if we have to look back at separate symbols for each individual word?

Quintilian's criticisms seem, to me, perfectly justified, especially the idea that you have to remember not just the things, but the places for the things. Psychologists agree that memorizing by the system of *loci* will slow down recall, but you will at least recall what you have memorized (Vogl and Thompson 1995: 322).

For people who have poor memories or who may on occasion have an exceptionally difficult passage to recall, Quintilian does suggest a modified version of the system of *loci*:

eo quoque adhuc remedio utetur ut ipsae notae (hoc enim est ex illa arte non inutile) aptentur ad eos qui excidunt sensus, ancora, ut supra proposui, si de nave dicendum est, spiculum si de proelio. Multum enim signa faciunt, et ex alia memoria venit alia. (Quintilian, *Institutio Oratoria* 11.2.29–30; tr. H. Butler 1920)

the following additional remedy. . . though drawn from the mnemonic system discussed above, is not without its uses: he will adapt his symbols to the nature of the thoughts which tend to slip from his memory, using an anchor . . . if he has to speak of a ship, or a spear, if he has to speak of a battle. For symbols are highly efficacious, and one idea suggests another.

This part of Quintilian's advice brings us to the other major component of the ancient art of memory: mental images and their construction.

Mental Imagery

In technical terms, psychologists make a distinction between the encoding mnemonic, the mental image you create, and the organizational mnemonic, such as the *topoi* and *loci*, that puts the encoding mnemonics into a particular order (Bellezza 1987: 35–6). Aristotle (*Mem.* 452a 12–25) mentions the alphabet and numbers as examples of *topoi* or organizational mnemonics. It has three components: the letter of the alphabet, the thing to be remembered, and the image that connects the first two items. Thus if you need to remember the word “battle-axe” as the third item in a list, you would associate battle-axe with the letter “c” by imagining a soprano hitting the high *cs*, while singing about a fight in which an axe was swung.

The *Rhetorica ad Herennium* (ca. 88–5 BCE) recommends that *quare sibi quemque suo commodum convenit imagines comparare* (“everybody, therefore, should in equipping himself with images suit his own convenience,” 3.39; tr. Caplan 1954). As a general rule, the harder you work to remember something the more likely you are to remember it within certain limits (Einstein et al. 1990). Because visual imagery for either the spoken or written word by its very nature involves more than one of the senses, the thing to be remembered will be more thoroughly recorded and hence more likely to be recalled.

Creating mental images in antiquity applied to memory for both words and things. This technique was first developed by the Greeks and is at least as early as circa 400 BCE, the date of our earliest source, the *Dialexeis* (frag. 9). The *Rhetorica ad Herennium* (hereafter “Auctor”) provides the fullest description of the “keyword mnemonic,” as it is called today:

cum verborum similitudines imaginibus exprimere volumus, plus negotii suscipimus et magis ingenium nostrum exercebimus. id nos hoc modo facere oportebit: iam domum itionem reges Atridae parant. hunc versum meminisse si volumus, conveniet primo in loco constituere manus ad caelum tollentem Domitium, cum a Regibus Marciis loris caedatur – hoc erit “iam domum itionem reges”; in altero loco Aesopum et Cimbrum subornari, ut ad Iphigeniam, in Agamemnonem et Menelaum – hoc erit “Atridae parant.” hoc modo omnia verba erunt expressa. (*Rhetorica ad Herennium* 3.34; tr. Caplan 1954 adapted)

When we wish to represent by images the likenesses of words, we shall be undertaking a greater task and exercising our ingenuity the more. This we ought to effect in the following way: *iam domum itionem reges Atridae parant*. [And now the kings, the sons of Atreus, prepare their return home.] If we wish to remember this verse, in the first

place we should put Domitius, raising hands to heaven while he is lashed by the Marcii Reges – that will represent *iam domum itionem reges*; in the second place, Aesopus and Cimber, being dressed for the roles of Agamemnon and Menelaus in *Iphigenia* – that will represent *Atridae parant*. By this method all the words will be represented.

As Quintilian (*Inst.* 11.2.25) remarks, this system omits certain kinds of words like conjunctions and, in this case, an adverb, *iam*. The Auctor refers to personalities well known to the Romans, like actors (Aesopus and Cimber) and the well-born (the Marcii Reges). The system reminds me most of the modern game of charades. Words are broken down into syllables, much like a rebus, and the more bizarre the image enacted the more likely the side guessing is to win.

Modern testing of the relationship between imagery and memory makes a distinction between bizarre imagery, as just described, and vivid imagery, which I treat next. The ancient texts imply that difference, but do not directly state it. Bizarre imagery tends to be of greater benefit today for remembering lists of things as opposed to memory for words or prose. Mnemonic strategies have been found to be particularly helpful in recall of content rather than of actual wording of texts (McCormick and Levin 1987; Cornoldi and De Beni 1991: 511).

The Auctor recommends using mental imagery in one other way:

rei totius memoriam saepe una nota et imagine simplici comprehendimus; hoc modo, ut si accusator dixerit ab reo hominem veneno necatum, et hereditatis causa factum arguerit, et eius rei multos dixerit testes et conscios esse. si hoc primum, ut ad defendendum nobis expeditum sit, meminisse volumus, in primo loco rei totius imaginem conformabimus; aegrotum in lecto cubantem faciemus ipsum illum de quo agetur, si formam eius detinebimus; si eum non agnoverimus, at aliquem aegrotum non de minimo loco sumemus, ut cito in mentem venire possit. et reum ad lectum eius adstituemus, dextera poculum, sinistra tabulas, medico testiculos arietinos tenentem. hoc modo et testium et hereditatis et veneno necati memoriam habere poterimus. (*Rhetorica ad Herennium* 3.33–4; tr. Caplan 1954 adapted)

Often we encompass the memory of an entire act by one notation and a single image. For example, the prosecutor has said that the defendant killed a man by poison, has charged that the motive for the crime was an inheritance, and declared that there are many witnesses and accessories to this act. If in order to facilitate our defense we wish to remember this first point, we shall in the first place form an image of the entire act. We shall make the one about whom the case is being pled a sick man lying in bed, if we know what he looks like. If we do not know him, we shall yet take someone else to be our invalid, but not from the lowest class, so that he may come to mind at once. And we shall place the defendant at the bedside, with a cup in his right hand and writing tablets in his left, and a doctor holding a purse. In this way we can record the man who was poisoned, the inheritance, and the witnesses. Likewise then we shall put the other charges in sequence in the places, and whenever we want to remember a fact, if we use a proper arrangement of the forms and a careful notation of the images, we shall easily follow what we want in memory.

Here the facts of the case suggest the images; this differs from the example used for memorizing text, which stresses the superficial resemblances between the sounds of the words rather than their meanings. For the most part the Auctor's image of the

scene of the crime is easy to follow. The cup recalls the poison the sick man drank and the tablets his will. The purse contains the bribe for the doctor.

The re-creation of the scene of the crime depends not on bizarre imagery, but on vivid description. A series of scenes is pictured, with each stage of the argument of the case having its own scene which includes all of its elements. Together the series of scenes resemble a continuous narrative much like a cartoon strip today or the late Roman republican wall paintings of the Odyssey landscapes, from a building on the Esquiline in Rome dating some thirty years after the *Rhetorica ad Herennium* (Rome, Vatican; Helbig 1963: 1.355–60; Ling 1991: 107–11, 229 n4). While the figures in the painting are subordinated to the setting and not emphasized, as the Auctor has done for his description of a crime, the way the viewer sees each scene through pilasters painted over the landscape, which continues behind them, gives an idea of how the Auctor meant his system to work. The Auctor (3.29, 3.31) recommends putting things to be remembered in intercolumniations. In both his scene of the crime and the Odyssey landscapes, the things in question are an ordered series of what we would call episodes or scenes. By demarcating more or less where one scene ends and the next begins, the pilasters in the painting make the scenes easier to “read” and hence easier to remember by dividing the larger whole into more manageable chunks. One should remember that, as with the oral poets and, indeed, literate orators, verbatim recall is not the issue with this kind of memory.

Other Advice for Improving Memory

The variety of techniques and the number of practical suggestions given by Quintilian demonstrate that training the memory in classical antiquity was a many-faceted process. What you needed to memorize would determine which method you would employ. Quintilian (*Inst.* 11.2.26–49) did not himself use the system of *loci* and mental imagery, and offers instead what he regards as simpler precepts (*nos simpliciora tradamas*, 11.2.26). Much of what he recommends is practical. Foremost are regular practice, a daily regimen, graduated exercises, and the divide-and-conquer approach:

quaecunque aetas operam iuvandae studio memoriae dabit devoret initio taedium illud et scripta et lecta saepius revoluendi et quasi eundem cibum remandendi. quod ipsum hoc fieri potest levius si pauca primum et quae odium non adferant coeperimus ediscere . . . poetica prius, tum oratorum, novissime etiam solutiora numeris et magis ab usu dicendi remota, qualia sunt iuris consultorum. (Quintilian, *Institutio Oratoria* 11.2.41; tr. H. Butler 1920)

all who, whatever their age, desire to cultivate the power of memory, should endeavor to swallow the initial tedium of reading and re-reading what they have written or read, a process which we may compare to chewing the cud. This task will be rendered less tiresome if we begin by confining ourselves to learning only a little at a time, in amounts not sufficient to create disgust. . . . We should begin with poetry and then go on to oratory, while finally we may attempt passages still freer in rhythm and less akin to ordinary speech, such, for example, as passages from legal writers.

Again, notice the interplay between memory and writing. Quintilian believes that *si longior complectenda memoria fuerit oratio, proderit per partes ediscere; laborat enim maxime onere* (“if a speech of some length has to be committed to memory, it will be well to learn it piecemeal, since there is nothing so bad for the memory as being overburdened,” 11.2.27; tr. H. Butler 1920). Not only should you practice, but you should also test yourself to make sure you have got it right (11.2.34–5). Part of the reason for so much practice is that *etiam illa praevelox fere cito effluit, et, velut praesenti officio functa nihil in posterum debeat, tamquam dimissa discedit* (“the abnormally rapid memory fails as a rule to last and takes its leave as though, its immediate task accomplished, it had no further duties to perform,” 11.2.44; tr. H. Butler 1920), as every student who has ever crammed for a test knows.

Next after practice comes “the most powerful aid of all”: the “division and artistic structure” of whatever you are trying to memorize (*potentissima . . . divisio et compositio*, 11.2.36). The necessity for organization or arrangement (*taxis* in Greek, *dispositio* in Latin) was apparent from the time when the principles of rhetoric were first formulated. The idea of order in a speech is related to the idea of order for the *topoi* and *loci*. Both depend on a particular sequence and both can hold different kinds of information. Aristotle (*Mem.* 452a 3, *Rh.* 2.26.5) uses the same word, *taxis*, for both. Not only should your speech be well organized with clearly marked divisions, but also the subject of your speech should have its own internal logic. Quintilian advises that point should follow point in a natural development of the argument so that *nam qui recte dividerit, nunquam poterit in rerum ordine errare* (“the connection will be so perfect that nothing can be omitted or inserted without the fact of the omission or insertion being obvious,” *Inst.* 11.2.36; tr. H. Butler 1920). In other words, your organization constrains what you will say next, in much the same way as meter and rhyme guide what the oral composer says (Rubin 1995). One of the major benefits from such a tight organization goes unmentioned by Quintilian: your listeners and readers will also more easily understand and remember what you have said or written.

Quintilian has other suggestions that may seem curious today. For example: *illud ediscendo scribendoque commune est, utrique plurimum conferre bonam valetudinem, digestum cibum, animum cogitationibus aliis liberum* (“both learning by heart and writing have this feature in common: namely, that good health, sound digestion, and freedom from other preoccupations of mind contribute largely to the success of both,” 11.2.35; tr. H. Butler 1920). While we would agree that concentration on the matter at hand is more productive than letting the mind wander, good health and sound digestion are appreciated in their own right and in sports, but not always as an integral part of the literate life, as the lives of many scholars demonstrate. Quintilian (11.2.33) also believes that you should not memorize silently, but murmur the text out loud. He is right that engaging more than one of your senses in learning increases the likelihood of remembering (Small 1997: 72–8).

Next Quintilian (11.2.34), as a fully literate person, prefers to memorize from a written text rather than orally, in part because recall works best if you recreate the context in which you first experienced and, in this case, memorized something. Hence you are more likely to remember the “page” of your text – the passage was on the left side with a typo halfway down – if you recall its original (11.2.32). Furthermore, he recommends marking up your text to make it easier to recall

(11.2.28–9). Because the use of *scriptio continua* forced the reader to “punctuate” the text, it may not only have aided the reader in memorizing, in making the text truly his own, but also it may have helped *scriptio continua* to survive for so long. If someone else “punctuates” the text, in effect doing all the work for you, you will not be able to remember that text as easily. Yet Quintilian does not recommend total memorization in all cases. For example:

plerumque autem multa agentibus accidit, ut maxime necessaria et utique initia scribant cetera quae domo adferunt cogitatione complectantur, subitus ex tempore occurrant; quod fecisse M. Tullium commentariis ipsius apparet. (Quintilian, *Institutio Oratoria* 10.7.30; tr. H. Butler 1920)

It is, however, a common practice with those who have many cases to plead to write out the most necessary portions, more especially the beginnings of their speeches, to cover the remainder of that which they are able to prepare by careful premeditation and to trust to improvisation in emergency, a practice regularly adopted by Cicero, as is clear from his notebooks.

Quintilian (11.2.43) also recommends a night’s rest after memorizing, which psychological experiments have found to work. Finally, the only ancient method that Quintilian and the others who wrote about mnemotechnics did not directly describe is the use of jingles and songs to learn things like the alphabet and arithmetic (Cic. *Leg.* 2.23.59; August. *Conf.* 1.13). They probably did not mention them because they did not consider them artificial devices for memorizing, as we do today. We rely less on memory than in antiquity and more on external, written aids, like shopping lists and the refrigerator as bulletin board (Norman 1992: 48–58). Nonetheless, the mnemonic most commonly used today was never used in antiquity: the acronym or reduction coding mnemonics, as it is more formally called (Baddeley 1990: 190–3). For instance, if you want to remember the Great Lakes, you need memorize only one word, HOMES. Each letter stands for a lake: *Huron*, *Ontario*, *Michigan*, *Erie*, and *Superior*.

Did It Work? Ancient Feats of Memory

While Quintilian (*Inst.* 11.2.39) is skeptical of the system of *loci*, as I noted, he has no doubts whatsoever that memory can be trained, because he has improved his own memory (11.2.39). Plutarch (*Mor.* 9e [= “On the Education of Children”]) was a firm believer in such education and had an excellent memory himself. Psychological studies have demonstrated that practice makes perfect and multiple methods are best (McDaniel and Pressley 1987: 300; Vogl and Thompson 1995; Wilding and Valentine 1996).

Consider some of the remarkable feats of memory reported in various ancient sources, all made by notable people. Would anyone today remark about a particular statesman’s memory? While Tip O’Neill, former speaker of the United States House of Representatives, said that “all politics is local” and members of Congress often have elaborate files to keep track of their constituents, having a good memory is not

among the characteristics that spin doctors use to sell their candidates. In contrast, in antiquity those with good memories were duly noted and lauded. The elder Seneca (*Controv.* 1 *praef.* 2) could reel off 2,000 names he had just heard. The elder Pliny gives a typical list of memory feats:

Cyrus rex omnibus in exercitu suo militibus nomina reddidit, L. Scipio populo Romano, Cineas Pyrrhi regis legatus senatui et equestri ordini Romae postero die quam advenerat. Mithridates duarum et viginti gentium rex totidem linguis iura dixit, pro contione singulas sine interprete adfatus. Charmadas quidam in Graecia quae quis exegerit volumina in bibliothecis legentis modo repraesentavit. (Pliny, *Naturalis Historia* 7.88–9; tr. Rackham 1952)

King Cyrus could give their names to all the soldiers in his army, Lucius Scipio knew the names of the Roman people, King Pyrrhus' envoy Cineas knew those of the senate and knighthood at Rome the day after his arrival. Mithridates who was king of twenty-two races gave judgments in as many languages, in an assembly addressing each race in turn without an interpreter. A person in Greece named Charmadas recited the contents of any volumes in libraries that anyone asked him to quote, just as if he were reading them.

The importance of politicians remembering their constituents was clearly just as important then as it is now.

“Oral Composition” in Short-Term Memory

The younger Pliny gives one of the fullest descriptions of how a Roman writes:

clausae fenestrae manent; mire enim silentio et tenebris ab iis quae avocant abductus et liber et mihi relictus, non oculos animo sed animum oculis sequor, qui eadem quae mens vident, quotiens non vident alia. cogito si quid in manibus, cogito ad verbum scribenti emendantique similis, nunc pauciora nunc plura, ut vel difficile vel facile componi tenerive potuerunt. notarium voco et die admisso quae formaveram dicto; abit rursusque revocatur rursusque dimittitur. ubi hora quarta vel quinta (neque enim certum dimensumque tempus), ut dies suasit, in xystum me vel cryptoporticum confero, reliqua meditor et dicto. (Pliny, *Epistulae* 9.36; tr. Melmoth 1915 adapted)

[When I wake] my shutters stay closed, for in the stillness and darkness I feel myself surprisingly detached from any distractions and left to myself in freedom; my eyes do not determine the direction of my thinking, but, being unable to see anything, they are guided to visualize my thoughts. If I have anything on hand I work it out in my head, choosing and correcting the wording, and the amount I achieve depends on the ease or difficulty with which my thoughts can be marshaled and kept in my head. Then I call my secretary, the shutters are opened, and I dictate what I have put into shape; he goes out, is recalled, and again dismissed. Three or four hours after I first wake (but I don't keep to fixed times) I betake myself according to the weather either to the terrace or the covered arcade, work out the rest of my subject, and dictate it.

The younger Pliny composes in his head in short snatches that match our limitations on short-term memory. He is following the advice of his teacher, Quintilian (*Inst.*

10.3.23–5). Dictating to a scribe what one has composed in one's head continued as the norm until the fourteenth century CE, when the author became the one to write down his text first (Saenger 1982: 387–91). This generalization does not mean that some did not write first on wax tablets or papyrus. It means merely that most composed this way most of the time (Hor. *Epist.* 2.1.112–13; compare McDonnell 1996). The procedure of working out the text first in memory and then setting it down was taught as a part of rhetoric. Quintilian (*Inst.* 10.6.1) calls it *cogitatio*, that is, “reflection,” “thought,” or “premeditation.” In case this method of composition seems a strange way to go about writing, I quote a fascinating account by John Hull of his adjustment to writing lectures in his head, when he went blind during his forties. He was in a rare position of knowing how both the sighted and the blind compose. He writes in his entry for August 19, 1984 (Hull 1990: 123–4):

I now seem to have developed a way of scanning ahead in my mind, to work out what I am going to say. Everybody does this in ordinary speech; otherwise we could not complete a sentence. Somehow or other, and without effort, I have developed a longer perspective, and now when I am speaking I can see paragraphs coming up from the recesses of my mind. It is a bit like reading them off a scanner. While I am speaking, another part of my mind is sorting out into paragraphs what I am going to be saying in the next few minutes, and a yet more remote part is selecting alternative lines of argument from a sort of bank of material. This seems to give my lecturing style a greater sense of order than I had before, and people seem to be able to follow me more easily.

Hull's lecture material is more complicated than business letters, which are frequently dictated. He keeps two basic things in short-term memory: what he is saying currently and what he wishes to say next. Note his use of visual (scanning, perspective, recesses) and memory (bank of material) terminology. Cicero writes about the casting of sentences in terms very similar to Hull's: *nam ut in legendo oculus sic animus in dicendo prospiciet quid sequatur*... (“for as the eye looks ahead in reading, so in speaking the mind will foresee what is to follow...,” *Orat.* 150; tr. Hubbell 1939).

The method Hull uses to understand something he hears from a tape is directly comparable to the way someone in antiquity would have heard a speech. Hull (1990: 124; entry for August 19, 1984) says that “I have not put any particular effort into learning how to [remember structure in a written work read to me]... You tend to make unconscious mental notes of the structure so that you can go back again if necessary.” In other words, the process works in both directions: it helps one compose in the mind and it helps one follow an oral “reading.” What is especially remarkable is that composing mentally has improved rather than destroyed his ability to lecture. It may not be accidental, however, that what he has published is not one, long connected work, but rather excerpts, each ordered within the excerpt itself, but, nonetheless, a series of separate episodes and thoughts; for his work is a diary he kept during the first years of his total blindness to help him accept and understand his condition. He dictated this diary into a tape recorder, the modern day equivalent of the ancient scribe.

In conclusion, the methods of mnemotechnics are not as important as the fact that training in memory was an integral part of the educational curriculum by the time of Romans. Today we get virtually no schooling in how to memorize other than what

we find on our own in the self-help section in the bookstore. I want to stress that the techniques did not spring like Athena fully developed from the mind of some Greek, but the practices were continually refined to meet the changing requirements of contemporaries until by the time of Quintilian's "codification" they were quite extensive. Nor were they frozen from that time on, for in both the Middle Ages and the Renaissance mnemotechnics underwent substantial changes and development. The need for better memory techniques increased in lock step with the increase in public speaking and written texts. At the same time the artificial memory techniques became a formal part of Greek and Roman education. If you have a well-trained memory, then the way you will produce new texts is different than if you are writing today. The art of memory is not a single, simple phenomenon, but rather a set of techniques that was developed and refined with use and over time. The medium is not always the message.

FURTHER READING

For extensive discussions on memory and full references to both the ancient writers and modern scholarship, see Small (1997). Baddeley (1990) provides a useful introduction on how memory works; see also Bartlett (1932) although it is out of date. Yates (1966) is helpful and easy to follow. Carruthers (1990) discusses the medieval tradition and some of the classical background, but contains less material on how memory actually works.

CHAPTER SIXTEEN

Wit and Humor in Roman Rhetoric

Edwin Rabbie

In November of the year 63 BCE, Cicero, then consul, defended one of his designated successors against charges of *ambitus*, electoral fraud, brought by Servius Sulpicius and the younger Cato. A passage in Cicero's successful plea elicited from Cato the remark: *ὡς γελοῖον ὧ ἄνδρες ἔχομεν ὕπατον* ("gentlemen, what a *funny* consul we have!"; Plut. *Comp. Dem. et Cic.* 1.5; cf. *Cato Min.* 21.8) – an ambiguous statement that should certainly not be taken as an unqualified compliment. In the eyes of Cato, himself generally considered as the personification and last exponent of ancient Roman virtues, "drollery" was not a characteristic a consul of the republic should pride himself on. In his view, Cicero's mockery of Stoic philosophy was beneath the dignity of the consular office. It was probably not the first and certainly not the last time that Cicero was accused of disqualifying himself as an orator by making inappropriate jokes. Outside the Forum too he was found to indulge in witticisms all too often, in the wrong place and at the wrong moment (e.g., *Phil.* 2.39). Quintilian (*Inst.* 6.3.1–5) finds himself obliged to defend his hero against what he considers the unjustified charge of employing humor to an excessive degree. *Consularis scurra* ("consular buffoon") is the rather uncomplimentary nickname that according to Macrobius (*Sat.* 2.1.12) he acquired among his enemies as a result of this behavior.

Nevertheless that same Macrobius (2.1.13) reports that by the very use of jokes Cicero managed to have guilty clients acquitted. Several of his published speeches stand out for their sparkling wit and light humorous tone, and the *Pro Caelio* is perhaps his most celebrated (see Geffcken 1973: 1–56). The masterful way in which Cicero here manages to propitiate a jury that must have been in a bad mood from the very beginning, because the trial took place on the day of a public festival, can still be appreciated by the present-day reader, even if some details of the case, and no doubt many a joke, escape us. Here we come across a recurrent problem where the study of ancient humor is concerned. Jokes usually presuppose (even rest on) a significant amount of shared knowledge – now inevitably lost – between the speaker and his audience; this is especially true for political jokes. The present-day reader can of

course be supplied with the necessary background knowledge, but once a joke has to be explained, it is no longer funny. As Cicero himself observes (*De Or.* 2.217), anything can be discussed more wittily than wit itself. Indeed, his discussion here suggests that theorizing about jokes had already produced various unreadable treatises, although unfortunately we are unable to verify his judgment: none of the separate treatises on humor that are known to have existed in antiquity has survived.

Another category of ancient work concerned with jokes is a little better known to us. It consists of collections of *bons mots*, a genre that, through the medieval and Renaissance collections of *facetiae*, has managed to survive until the present day. In antiquity, too, production in this field must have been considerable: one Greek specimen has survived, the late antique *Philogelos*; and there are testimonies of a number of lost Latin collections. Among these was a collection in three books of jokes attributed to Cicero, compiled by his freedman Tiro; from a remark of Quintilian's (*Inst.* 6.3.5) it can be deduced that it contained a lot of dead wood. Nevertheless, clearly there was a keen interest in collections of Cicero's *facetiae*. From what he himself states in a letter written in 50 BCE (*Fam.* 7.32.1), it appears that virtually every single joke came to be ascribed to him (cf. also *Planc.* 35), including the poorer ones for which he was not responsible. According to Cicero's testimony in another letter (*Fam.* 9.16.4) Julius Caesar, whose *dicta* were also collected (Suet. *Iul.* 56.7), was able to discern a spurious apophthegm from a genuine Ciceronian one.

Cicero knew that his wit was an important constituent of his talent. A passage in a letter to Atticus, written in 61 (*Att.* 1.16.10), where he reports an altercation in the senate with his archenemy Clodius, shows what a formidable and witty debater he was. Furthermore, humor was one of the fields in which the Romans considered themselves superior to the Greeks: the greatest among the Greek orators, Demosthenes, had lacked a humorous vein (Cic. *Orat.* 90; Quint. *Inst.* 6.3.2), and, speaking more generally, according to Cicero (*Fam.* 9.15.2), ancient Roman wit was funnier than Attic wit. It does not come as a surprise, then, that Cicero theorized about the use of humor in his rhetorical works. His extensive treatment of the subject in *De Oratore* is first and foremost an attempt to justify his own much disputed practice (cf. also Krostenko 2001: 223–5).

Cicero's Excursus in *De Oratore*: Content and Structure

Cicero's main work on oratory, the *De Oratore*, dates to 55 BCE, a period marked by both political and personal troubles in the author's life. About halfway through the fictional dialogue, which is imagined to have taken place in the year 91 between some of the most distinguished orators of the time, Cicero makes space for an extensive excursus (2.216–90) on the use of humor and jokes in oratory. The inclusion of this subject in a treatise on rhetoric – at least on this scale – is to be considered one of Cicero's innovative contributions to the theory of oratory. (His emphasis on the necessity for the orator of a knowledge of civil law at 1.166–203 is another one; both innovations are “announced” together at 1.17–18 and 1.159.) As one of the characters says, the discussion would be incomplete without such a consideration of humor (2.233). That we are actually dealing with an excursus is stated in so many words in the text itself, where the passage is twice (2.234 and 2.290) designated as a

diversorium, a “stopping place.” It is also underscored by Cicero’s choice of speaker. Whereas the lion’s share of the dialogue is assigned to the two orators Lucius Licinius Crassus and Marcus Antonius, the main speaker in the section on humor is Gaius Iulius Caesar Strabo, a politician somewhat younger in age than Crassus and Antonius who was considered the witty orator *par excellence* (at least according to Cicero at *Brut.* 177 and *Off.* 1.108, 1.133; other sources are lacking). There is, however, no evidence that he wrote a treatise on humor (as Viljamaa 1994: 85 states; cf. Arndt 1904: 40). On the other hand, it is doubtful whether Cicero really set great store in his choice of speaker, considering his curious mistake in the letter from 50 BCE already mentioned (*Fam.* 7.32.2), in which he refers to Antonius as the speaker of the excursus. Be that as it may, Zinn (1960: 43) may well be right in his suggestion that the choice of Iulius Caesar Strabo was influenced partly by Cicero’s wish to pay homage to his contemporary, Gaius Iulius Caesar, the future dictator.

The excursus fits in organically with the treatment of *ethos* and *pathos* that Antonius presents as part of *inventio* (*De Or.* 2.178–216), in that humor is likewise an “irrational” means of persuasion; Antonius, however, who introduces the subject, does not explicitly link the excursus with what has preceded. What one of the discussion’s first examples, taken from Crassus’ oration against Marcus Iunius Brutus, does show is that both pathos and humor are effective ways of defeating an adversary (2.225). Gorgias (quoted by Aristotle, *Rh.* 3.18.7) had already recommended countering an adversary’s seriousness by means of laughter, and vice versa. As far as we know – the sources are fragmentary – this positioning of humor after discussion of the *affectus* was not an entirely obvious one (Wisse 1989: 305–12): earlier authors had discussed the phenomenon in connection with the prologue (see *Rhet. Her.* 1.10, which gives a list of eighteen categories; Cic. *Inn. Rhet.* 1.25, who provides no more than a short indication); later (*Orat.* 87–9, written in 46 BCE) Cicero will choose yet another place (part of his treatment of the *genus tenue*). Quintilian (*Inst.* 6.3) essentially follows *De Oratore* (see Kroll 1934c: 341–3), although he discusses the *affectus* after the *partes orationis* and not, as is the case in Cicero, as part of the means of persuasion.

Caesar replies to Antonius’ invitation with what seems to be a polite refusal: humor is a subject that cannot possibly be discussed in a humorous way, as earlier attempts by Greek authors show. In order to elucidate this point of view Caesar (*De Or.* 2.218) divides the phenomenon humor (*facetiae*) into two categories, namely *cavillatio* and *dicacitas*. By the former he designates the humorous tone that is consistently applied in longer passages, by the latter that which we would call a joke or witticism, a short, witty remark. (A similar division with slightly different terminology, namely *sales* divided into *facetiae* and *dicacitas*, is given at *Orat.* 87.) The terminology is said to date back to the *veteres* (“ancients”). This remark has often been misunderstood and has occasioned much needless speculation. Many scholars since Arndt (1904: 26 n2) have looked in vain for a Greek origin of this dichotomy. Cicero, however, uses these native Roman terms here with no other aim than to show that no “theory” of the laughable can be devised. In neither of the two fields is a theory useful or thinkable, Caesar says. With this observation the conversation seems to have arrived at an impasse. Antonius, however, notes that Caesar has in fact given at least one, albeit negative, rule – the very rule that Cicero’s adversaries accused him of breaking so frequently: not to crack jokes at inappropriate times, because to do so harms the

orator's *gravitas* ("dignity," *De Or.* 2.229). Subsequently Crassus has to step in; by repeating the point of view that dominates the entire dialogue *De Oratore*, he makes a theoretical discourse on humor possible. He points out that rhetoric as such is not an exact science; rather, we are dealing with observations that can serve as a frame of reference (2.232; cf. esp. 1.109).

The road is thus clear for Caesar to oblige the company with his discussion. After what has preceded, the apparently systematic way in which he proceeds comes as a surprise. Following the approach adopted by real textbooks (see the examples in Fuhrmann 1960: 160 n5), he deals with his subject by means of five questions: (1) What is laughter? (2) Whence does it arise? (3) Is it appropriate for the orator to arouse laughter? (4) To what extent? and (5) What are the categories of the laughable? (*De Or.* 2.235). In this respect his approach is in marked contrast with the general tenor of *De Oratore*, in which its distance from the ordinary textbooks is stressed time and again.

These five questions provide the framework for the remainder of the excursus. The treatment of the first three, however, is relatively brief. While the question as to the nature of laughter is elaborated in the form of various further questions (e.g., how is it roused, where is it found, how does it come into being and how does it erupt so suddenly that we are unable to stop it?), the actual answer is omitted as irrelevant. A reference to Democritus, the "laughing philosopher," is supposed to suffice (*De Or.* 2.235). (On the "laughing philosopher" motif, see most recently Rütten 1992: 8–14; it is not certain, however, how familiar it was to Cicero himself.) The second question, too, is very briefly dealt with. The seat (we would perhaps rather say the "source") of the laughable is found in a certain dishonorableness and ugliness. For laughter arises in particular when something dishonorable is exposed in a not dishonorable way (*De Or.* 2.236). This statement is almost certainly an echo of Aristotle's famous definition of comedy: τὸ γὰρ γελοῖόν ἐστιν ἀμάρτημά τι καὶ αἰσχος ἀνώδυνον καὶ οὐ φθαρτικόν ("the laughable consists in some defect or ugliness which is not painful or destructive," *Poet.* 5.2). It is worth noting, however, that Caesar does not mention Aristotle's name in this context (or anywhere else in the excursus).

The third question is answered at a little more length and with some emphasis. To arouse laughter indeed befits the orator. The reasons why are manifold: laughter secures him benevolence and admiration; it defeats the opponent; it leaves the audience with a good impression; and, above all, it takes away seriousness and sternness, and refutes things that cannot easily be disproved by means of actual arguments (*De Or.* 2.236). Here we can see that Cicero has established a connection between the doctrine of laughter and that of the emotions: he describes the arousal of laughter in terms that show an effect similar to that of *ethos*, and laughter is also a means of combating the emotions that an adversary has aroused.

Cicero has Caesar dwell much longer upon the answer to the fourth question: to what extent (*quatenus*) may the orator use humor? (The importance of this issue has already been touched upon in *De Or.* 2.221.) We should take a closer look at the organization of this section, for at first sight it is far from clear where the treatment of the fourth question ends and where the discussion of the fifth question, that of the *genera ridiculi*, begins. Pinkster (1995: 249–53, followed by May and Wisse 2001: 187 n207) has rightly pointed out that the treatment of the *quatenus* question takes up the entire section 2.237–47, not just paragraphs 237–9 (*contra* Leeman et al.

1989: 177–80). In other words, Caesar does not switch until 2.248 to the treatment of the fifth and last question, that of the categories (*genera*) of humor. The dichotomy found in 2.239 only serves as an illustration of the *quatenus* discussion and is comparable to the function of the division found in 2.218.

Cicero emphasizes that staying within the right bounds is of foremost importance when making witty remarks, both with regard to the subject matter and the orator's own character. As we shall see later, the rules governing such comments derive from practical rather than ethical concerns. Two extremes are unfit as a subject for mirth: great wickedness, because in this case the audience wants to see more serious rhetorical devices employed; and great misery, because here pity is called for instead. In the third place one should beware of ridiculing people who are widely respected and beloved (*De Or.* 2.238). Also when holding up physical defects to mockery the orator has to observe moderation. Someone trying to be funny too often is like a mime-actor; someone passing the limits of decency is like a *scurra* ("buffoon," 2.239). Caesar illustrates both points with examples (2.240–7).

Finally comes the treatment of the fifth and last question, that of the categories of the laughable. Cicero gives the main division in *De Oratore* 2.248: a humorous remark either depends on content (*res*) or on words (*verbum*); the combination of both, however, is the most successful. The difference is explained in 2.252: if something remains funny when the words are changed, the joke is founded on content; if, however, changing the wording removes the joke, we are dealing with a joke based on words. Two further preliminary points are discussed at this point: (1) the "commonplaces" are the same in the case of humorous remarks as in the case of serious statements; sometimes even the words can be identical (2.248–50); and (2) not everything that is funny is also witty (2.251–2; this is a point that would seem better treated under the fourth question).

Caesar now proceeds to discuss the first main class, jokes depending on words, which he divides into ten categories (2.253–63): the use of ambiguity (which, he remarks, usually arouses more admiration than laughter; it is therefore good to combine ambiguity with another kind of joke, such as an unexpected remark); paronomasia; interpretation of a name; insertion of a line of verse; proverbs; taking something literally rather than according to the speaker's intention; allegory; metaphor; irony; and antithesis. All these categories are illustrated by one or more examples, an approach that contributes greatly to the liveliness of the whole discussion.

When proceeding to the jokes depending on content (2.264–87), Caesar remarks that people laugh more readily at jokes from this class than at those depending on words (cf. Cic. *Brut.* 141, *Orat.* 136 on the greater effect of figures of thought as compared to figures of speech). Furthermore the number of categories is higher here (in total twenty-three are mentioned, some again divided into subcategories; we are told at *De Oratore* 2.289 that this number could easily be increased). Nevertheless, as Caesar remarks, they can all be subsumed under a restricted number of categories, which he enumerates at the end of his discourse (2.289): deceived expectation; ridiculing someone else's character; making oneself look ridiculous; comparison with something that is uglier; irony (to be distinguished from irony as a category of humor depending on words, discussed earlier); semi-absurd remarks; and the censure of stupidity. It is difficult to classify all of the twenty-three categories mentioned

earlier according to these seven main categories, if only because Caesar does not illustrate these seven categories with examples.

The main organization of the excursus on wit and jokes is thus clear; nevertheless, closer attention should be paid to some details. It must be said that Cicero has not made things easy for his readers by giving as many as four partitions of the classes of jokes (*De Or.* 2.218, 239, 248, 252; cf. the summary in 2.289), without making it entirely clear what their functions are or how they are interrelated. As we have seen, Caesar starts his argument by distinguishing between two categories of humor, *cavillatio* and *dicacitas* (2.218). A little later, he draws a different distinction, identifying two types of wit, one based on content (*re*), the other on words (*dicto*, 2.239). In fact, as his comments at 2.243–4 show, these two classifications correspond with each other fairly closely. Wit based on content is said to be especially appropriate to continuous irony (*perpetuarum facetiarum*) – a phrase that comes close in meaning to *cavillatio*; and wit based on words is well suited to a pointed style of expression – similar to that designated by *dicacitas* (see Pinkster 1995: 251). Finally, at 2.248 and 252 Caesar offers a more general classification of humor using the terminology *in re* (humor based on content) and *in verbo* (based on words). The phrasing here confusingly suggests a link to the earlier classifications – but Cicero in this case seems to have a much broader conception of humor in mind, one that is not concerned with the narrower distinction between *cavillatio* and *dicacitas*.

Cicero and the Greeks: Some Remarks on His “Sources”

In the past much, even too much, attention has been paid to Cicero’s “sources,” as May and Wisse (2001: 38) rightly observe; there is hardly a line in his rhetorical and philosophical works that has not been traced to some (lost) Greek “original.” Here I confine myself to the outlines; my earlier treatment (Leeman et al. 1989: 190–204, with references to older literature) is more speculative.

To begin with, there seems to be at least some justification for an attempt to trace back Cicero’s excursus on humor to Greek sources. Twice in his treatment Caesar mentions Greek writings on humor, both at the beginning and at the end of his discourse. Unfortunately, he does so without citing the authors’ names (the only Greek authority referred to in the excursus is Democritus, *De Or.* 2.235). What he mentions are tracts *de ridiculis* (2.217), and it is clear that there was little in these theoretical treatises to laugh about, except perhaps the insipidness of their authors. On the other hand, they evidently contained many funny remarks made by Greeks from various regions. Caesar does not say *where* he came across these funny remarks, but it seems logical to take the word *inveni* (“I found”) to refer to the Greek books mentioned a little earlier. At the end of his treatment (2.288) Caesar again touches upon the Greeks. He concludes his long list of categories of jokes that depend on content with the following remark: *conliguntur a Graecis alia nonnulla . . . sed haec ipsa nimis mihi videor in multa genera discripsisse* (“here the Greeks add some other categories . . . but perhaps my classification is already too detailed as it is,” 2.288). The very least that can be deduced from this is that Cicero was familiar with one or more Greek books on wit in which the jokes were classified in (a large number of) categories (cf. also *Fam.* 7.32.2, where Cicero, while referring explicitly to *De Oratore*, quotes

some Greek terms indicating categories of jokes). Combining the inferences from both passages the conclusion seems inevitable that the heavily criticized Greek treatise(s) looked somewhat like the main part of Cicero's excursus (2.235–89): a theoretical exposé, including (among other things?) a list of categories, illustrated by means of examples that were ascribed to historical persons. Such books have not survived, although the type itself is well known to us from textbooks on other subjects, for example, the section on figures of speech in the *Rhetorica ad Herennium*.

Not surprisingly there has been much speculation regarding the identity of Cicero's source, the implicit presupposition being that the excursus is exclusively or to a large extent based on Greek material now lost, perhaps the very books alluded to in *De Oratore* 2.217, or again a different source not mentioned at all. Scholars have predominantly focused on authors from the Peripatos; in Solmsen's words (1931: 263), the Peripatetics more or less hold the monopoly for this subject. In the first place it has been supposed that Aristotle's theory of comedy is – directly or indirectly – at the basis of our excursus. The publication of Umberto Eco's 1980 novel *The Name of the Rose* has made it common knowledge that the lost second book of the *Poetics* is supposed to have contained this theory (see Arist. *Rh.* 1.11.28–9, 3.18.7). Scholars have tried to reconstruct this book from excerpts, especially the so-called *Tractatus Coislinianus*. However, arguing against the most recent and consistent attempt at reconstruction, that of Janko (1984), Nesselrath (1990: 102–49) has shown that, although the *Tractatus* is of Peripatetic origin, it does not reach back immediately to Aristotle (or to Theophrastus); therefore no reconstruction is possible.

Furthermore, the following lost works by Peripatetic authors are known to us (in some cases apart from the title small fragments have been preserved): Theophrastus, *Peri Geloion* (*On the Laughable*), in one book; the same, *Peri Charitos* (*On Grace*), in one book; Demetrius of Phaleron, *Peri Charitos*. However, the last two may actually be ethical instead of rhetorical treatises. Neoptolemus of Parium (third century BCE?) wrote a book *Peri Asteismon* (*On Witticisms*); perhaps this was one of the treatises that followed the pattern found in Cicero (categories illustrated by examples: the single surviving fragment is metrical, therefore probably a poetical quotation). The most influential and best-founded attempt to trace Cicero's discussion back to Peripatetic sources is by Arndt (1904: 25–40), although he posits a book that perhaps never existed (Demetrius of Phaleron, *Peri Geloion*; cf. Corbeill 1996: 21 n13; Grant 1924: 34, 71; Desbordes 1998: 307). Apart from the sources mentioned earlier, he also makes use of Demetrius' *On Style* (163–72) and Plutarch's *Quaestiones Convivales* (2.1, 629 E–634 F).

Insufficient attention, however, has been paid to the fact that Cicero is giving a theory of humor and wit in a rhetorical treatise. Apart from a brief mention in the *Rhetorica ad Herennium* (1.10; cf. also 3.23 where a definition of *iocatio*, “jest” is found), no earlier treatment of the subject in this context – extant or lost – is known. A closer examination of the text, especially the section on the *genera ridiculi* starting in *De Oratore* 2.253, shows that the theory as espoused by Caesar has elements in common with other parts of rhetorical theory, especially the doctrine of figures of speech (cf. also Nesselrath 1990: 121). For instance, the definition of the difference between jokes depending on words and jokes depending on content already alluded to (2.252) is identical to the definition of the difference between figures of speech and

figures of thought (cf., e.g., *De Or.* 3.201, *Orat.* 81). Many of the categories mentioned by Caesar are known to us as figures of speech or thought, not merely from *De Oratore* (3.202–7) itself, but also from various other ancient rhetorical treatises. This also holds for the three categories mentioned last (2.288), which, as we have seen, were found in the Greek treatises that Cicero knew. The fact that in 2.261–2, that is, at the end of the enumeration of the jokes based on words, three categories (allegory, metaphor, irony) are mentioned that are elsewhere described as tropes possibly also points to a rhetorical source: in some textbooks, including the *Rhetorica ad Herennium* (4.42 ff.), the tropes are dealt with immediately after the figures of speech. That there were some (otherwise unknown) authors that categorized the jokes according to the figures of speech and thought is certain from a remark of Quintilian's (*Inst.* 6.3.70). The fact that these rhetorical elements seem to point to a much more “recent” rhetorical theory than that of Aristotle and Theophrastus is another indication against direct influence by these authors.

The relations between Cicero and the Peripatetic tradition seem to be much closer as far as the “ethical” (so to speak) prescriptions for making jokes are concerned, namely the rules concerning the admissibility of jokes, the correct subject of mirth, and the moderation required in making jokes. These problems had been the subject of discussion in Greek philosophy, starting as early as the Pre-Socratic philosophers (their statements have been collected and discussed by Grant 1924: 13–17). I have already pointed to the fact that there is a marked resemblance between Aristotle's definition of comedy and Cicero's remark in *De Oratore* 2.236. Nevertheless, proper account should be taken of the differences as well: whereas Aristotle's discussion of comedy seems to be set in an ethical context (see also *Eth. Nic.* 4.8.1 ff.), Cicero's entire discussion is dominated by the rhetorical category of *decorum*. In particular Cicero's treatment of the bounds of making jokes (*quatenus*, *De Or.* 2.237–47) should be considered from this perspective (cf. Celentano 1995: 171–2; Corbeill 1996: 25–30). When Cicero preaches moderation in using jokes and wit he does not do so out of consideration for the “victims,” but because otherwise the audience might turn against the orator, who would then run the risk of losing his case. Or, in Caesar's words: *nos cum causa dicimus, non ut ridiculi videamur, sed ut proficiamus aliquid* (“we make [those witty remarks] with a purpose, not in order to seem funny, but to achieve something,” *De Or.* 2.247).

A theory of jokes in a truly philosophical context is to be found in Cicero's last major prose work, *De Officiis* 1.103–4, the third important passage on humor in Cicero's works (after *De Or.* 2.216–90 and *Orat.* 87–90). It is in large part devoted to the difference between jokes that are worthy of a free man and those that are not. In all likelihood, the passage is to be traced back to Panaetius (Zinn 1960: 43), although the distinction itself is certainly older and goes back to Aristotle (*Eth. Nic.* 4.8.5 ff., *Rh.* 3.18.7). It does not, however, play a role of any importance in Cicero's rhetorical works. As we have seen, Cicero also pays much attention to *to prepon* or *decorum* in the excursus in *De Oratore* (2.237–8), but here it is described rather in terms of avoidance of extremes: neither very bad nor very pathetic people are fit as an object for ridicule.

The examples that Cicero uses to illustrate Caesar's discussion are (almost) entirely of Roman origin. In most cases he indicates a source, not necessarily a direct one, or at least an author. The most important sources were, it seems, Lucilius' *Satires* and the collection of *dicta* compiled by the elder Cato (cf. *De Or.* 2.271, *Off.* 1.104;

Quint. *Inst.* 6.3.105). It is interesting that jokes from Roman comedies (especially Plautus and Terence) are entirely lacking among the examples; only a few are taken from mimes. We may contrast the sections on *elocutio* and *actio* in the third book, where most of the examples are taken from Roman tragedy. It is also worth noting that two jokes (at *De Or.* 2.275–6) are also found in the late antique Greek collection known as *Philogelos* (sections 18 and 193). By assigning all jokes to persons and situations dating back before 91 BCE, Cicero has avoided at least the appearance of anachronisms; obviously, this does not exclude the possibility that some of the examples are his own invention (thus also Monaco 1992: 163–4).

The later influence of the excursus on wit and jokes in *De Oratore* stretched as far as the seventeenth and eighteenth centuries, when courtesy books, following treatises like Baldassarre Castiglione's *Libro del cortegiano* (1528), still refer to *De Oratore* for their theory of wit (De Man 1993: 136). Such an afterlife is certainly in Cicero's spirit, who has Caesar state that *omnia haec, quae a me de facetiis disputantur, non maiora forensium actionum quam omnium sermonum condimenta sunt* ("everything I say about witticisms is seasoning for all conversations, not merely for forensic speeches," *De Or.* 2.271; cf. 1.32). However, the first major author to be influenced by the excursus was that other major theoretician of rhetoric in Rome, Cicero's great admirer Quintilian.

An Attempt at Systematization: Quintilian on Wit

Quintilian devotes an entire chapter to the theory of jokes at *Institutio Oratoria* 6.3, a discussion that is only a little shorter than Cicero's own excursus. Since other rhetorical textbooks surviving from the time hardly paid any attention at all to this subject, Quintilian's treatment may well be inspired by Cicero's example. The latter's influence is in fact evident from the very beginning of the chapter where Quintilian feels obliged to defend Cicero against the well-known charge that he was unable to show restraint in joking (*Inst.* 6.3.2–5). On the other hand, it is clear that Quintilian, unlike Cicero, is writing a textbook. He is making a marked attempt to render a clearly structured, systematic and comprehensive account. A distinct attempt at integration of the theory of the laughable into the wider rhetorical system is even more evident here than it is in Cicero. The fact that the realization falls short of the author's intentions is a different matter.

Like Cicero, Quintilian discusses wit immediately after his treatment of *ethos* and *pathos*. After some introductory remarks he addresses the question of the origin of laughter (*Inst.* 6.3.7), which he too is unable to answer, and discusses its power and effect (6.3.8–9). The question that took up a large part of Cicero's excursus, the usefulness and possibility of rules in the field of the laughable, is disposed of briefly by Quintilian (6.3.11–16). While he too recognizes that there is not much room for theory here, he does allow that wit can be developed through certain oratorical exercises. There then follows a survey of terminology (6.3.17–21), in which the terms *urbanitas*, *venustus*, *salsus*, *facetus*, *iocus*, and *dicacitas* are discussed. The inclusion of this survey illustrates well Quintilian's pursuit of systematization and didactic clarity.

At this point comes the central section of the chapter (6.3.22–100), on which a little more will be said below. The chapter is closed by an appendix (6.3.102–12) in

which Quintilian, in reaction to the (now lost) tract *De Urbanitate* by Domitius Marsus, a contemporary of Augustus, addresses this important subject. In the form of a long quotation we learn that Marsus' definition of *urbanitas* and the *homo urbanus* were based upon Cato (Censorius?). (Cicero himself had not dared to define this elusive concept; see *Brut.* 171.) Quintilian thinks that Marsus' definition is too general and he presents his own definition – couched in negative terms – at 6.3.107. According to this, *urbanitas* is based not so much on humor and wit, as on a language, attitude, and expression free from any alien element or dissonance, where not so much the individual words matter as the color of the language as a whole, just as the Greek notion *attikismos* reproduces the scent of Athens.

As we have seen, the structure of Cicero's excursus on wit is not clear on first sight. One gets the impression that Quintilian already had his difficulties with it; at least, there are indications that he has tried to replace Cicero's structure by a more perspicuous one (for details cf. Kühnert 1962). The primary division is found in 6.3.22: the laughable is either based on content or on words. Next, Quintilian distinguishes between three kinds of use (6.3.23): laughter is derived either from others or from ourselves or from neutral objects. Finally, in 6.3.23 we find the following division: the laughable is either done or said. The last division is dealt with first (6.3.25–6 and 6.3.27–35, respectively). In 6.3.35–7 Quintilian proceeds to the topics of the laughable; yet another disposition is found in 6.3.37: *ridicula . . . aut ostenduntur* (6.3.38) *aut narrantur* (6.3.39–44) *aut dicto notantur* (6.3.45–70) ("the laughable is either shown or narrated or censured with a witticism"). This scheme is apparently meant as an improvement on Cicero's division into *cavillatio* and *dicacitas* (Cicero at *De Or.* 2.240–2 distinguishes two subcategories of *cavillatio*, namely *narratio* and *imitatio depravata*). Whereas Cicero at one point replaces this division by a different one, Quintilian subsumes both jokes based on words (6.3.46–56) and jokes based on content (6.3.57–65) under *dicto notantur*. The main part (6.3.71–100) ends with the treatment of the threefold use announced in 6.3.23. Just as in Cicero, all categories are illustrated by one or more examples.

As to the question of the sources of Quintilian's chapter, Kühnert's elaborate study (1962) is again fundamental. His conclusions can be summarized as follows: Quintilian's most important source was Cicero, both the excursus in the second book of *De Oratore* and the much shorter account in the *Orator*. The question whether or not Quintilian's chapter contains "remains of sound Greek theory not transmitted by Cicero" – thus Kroll (1934c: 345), who takes the affirmative view – is answered in the negative by Kühnert. According to Kühnert Quintilian has not independently used any Greek sources. Almost all elements in Quintilian's text that cannot be traced back to Cicero should be explained from his use of Domitius Marsus' tract *De Urbanitate*. Apart from this Quintilian has made use of some collections of witticisms, among others the collection of Ciceronian *bons mots* that had been compiled by his secretary and freedman Tiro.

Epilogue

There is a famous, or perhaps rather infamous, statement of Cicero's on his victory as a defense lawyer in the murder trial against Aulus Cluentius Habitus (66 BCE): he is reported to have prided himself on having cast a cloud of darkness over the jury's eyes

(Quint. *Inst.* 2.17.21). This boast shows once more what really counts in forensic oratory: to win your case by any possible means. The use of humor in oratory is one of these means, and in the hands of a talented and witty orator like Cicero a very powerful one at that. Illustrations abound: we have already mentioned the *Pro Caelio*; another fine example is provided by one of Cicero's last speeches, the thirteenth *Philippic*, which contains a long passage (13.22–48) where scathing wit is used to ridicule a letter written by Antony. There is hardly any oration, however, that lacks humor altogether.

Initially Cicero's plea in *De Oratore* for humor and wit to be regarded as essential elements in the arsenal of the perfect orator does not seem to have been very successful. Toward the end of his life he felt compelled to rail against the "new Atticists," who were accustomed to neglect humor as part of their style (*Orat.* 89–90). Humor can be rightly considered one of Cicero's major contributions to rhetoric. From the time of Quintilian humor and wit have been canonized as essential components of rhetorical theory.

FURTHER READING

The literature on the subject is not as immense as is the case with some other subjects in the history of ancient rhetoric. However, only a few of the contributions are written in English; many indispensable books and articles are in such languages as German, Spanish, and Italian. For Cicero see Leeman et al. (1989: 172–333), in German. Full references to earlier literature can be found in Leeman et al. (1989: 11–19). On the subject of the rhetorical theories of the laughable, Arndt (1904), a doctoral dissertation in Latin from Bonn University, written at Ludwig Radermacher's instigation, is now over a century old but still indispensable. Somewhat less antiquated is Plebe (1952), in Italian. A good and much more recent survey of the ancient theories of the laughable is Fernández (1997), in Spanish; see also Celentano (1995), in Italian. On Quintilian Kühnert's (1962) thorough analysis in German remains fundamental; there are more recent studies on the same author by Viljamaa (1994) and Desbordes (1998), both in French. On the social and political context of humor, see Graf (1997) and especially Corbeill (1996). Several of Corbeill's (1996: 20–30, 37–40, 75–8, 89–90, etc.) interpretations of passages from Cicero's excursus are different from my own. On the "ethical" component of joking, Grant (1924) is still of use although she does not distinguish between the ethical and the rhetorical points of view; see Herter (1927). Various recent contributions of a more general nature are Kullmann (1995), in German; Schneider (2000), in German; Schulten (2002); and Fantham (2004) 186–208.

CHAPTER SEVENTEEN

Oratorical Delivery and the Emotions: Theory and Practice

Jon Hall

Most ancient Romans encountered oratory not as a written text but as a dynamic live performance. Of the several hundred people or so who would have heard Cicero deliver his speech in defense of Marcus Caelius in the Forum, only a small proportion is likely to have read the text that was later circulated. It was the performance that secured the persuasive effect that the orator required, and this performance depended on much more than the written word. As we shall see in the following discussion, vocal phrasing, oratorical gesture, bodily comportment and stage-managed theatrical effects could all play an important part in the orator's delivery of his speech. Some of these features were discussed by the ancient rhetoricians under the separate heading of oratorical delivery (*actio* / *pronuntiatio*), which was regarded as one of the five *officia* ("tasks") of the orator. But much relevant information is also to be found in discussions of the role of the emotions in oratory.

The Physical Contexts of Roman Oratory

The physical contexts of Roman oratory shaped quite significantly the speaker's style of delivery. Court cases during the late republic, for example, were usually conducted in the Forum, a location that presented the orator with numerous challenges. The often oppressive heat of Rome could be a source of considerable discomfort, while on other occasions the speaker might have to contend with wind and rain (Quint. *Inst.* 11.3.27). Moreover, since no means of artificial amplification were available, even the best speaker in this kind of space would have been unable to make himself heard clearly more than fifty or sixty meters away (see Aldrete 1999: 73–84). High profile criminal cases could also attract large crowds of onlookers. Cicero at *Pro Cluentio* 93,

for example, claims that the trial of Gaius Iunius in 74 BCE had been compromised by a rowdy mob of the accuser's supporters that had gathered first for a rally (*contio*) outside the Forum and then moved to the Aurelian steps near the temple of Castor. The presence of such crowds could both help and hinder the orator. On the one hand, they had the ability to interrupt the orator and make it difficult for him to speak effectively (see, e.g., Cic. *Q Fr.* 2.3.2–3; Asc. 40–2, Clark 1907). On the other, they often helped to create an emotionally charged atmosphere that the skillful orator could exploit. Indeed, for Cicero a large crowd of onlookers was an essential element of the performative dynamic: *habet enim multitudo vim quandam talem ut, quemadmodum tibicen sine tibiis canere, sic orator sine multitudine audiente eloquens esse non possit* (“for a crowd has a certain power, so that, just as a flute player cannot play without a flute, so the orator cannot be eloquent unless he has a crowd as his audience,” *De Or.* 2.338; cf. Tac. *Dial.* 39; Quint. *Inst.* 10.7.16; Gotoff 1993b: 289–90).

Senatorial debates, by contrast, usually took place indoors, most often of course in the senate house, but occasionally in nearby temples (see chapter 10). The size of the audience would regularly run to several hundred, thus establishing a performative context similar to that of the modern lecture hall or small theater. While there was a set procedure for debates to follow, speeches were not always heard in respectful silence; interjections and interruptions from the audience were frequent and would have affected the orator's delivery to some degree (Bonnetfond-Coudry 1989: 506–8). A rather different dynamic would have prevailed at *contiones* (“public assemblies”), which were often organized in order to stir up popular support for a politician and his policies. (For the typical location of *contiones* and their organization, see Morstein-Marx 2004: 34–67; Cicero at *Brut.* 223 describes them as *turbulenti*, “rowdy.”) To this extent they offered an opportunity for a kind of rabble-rousing mob oratory. As we shall see below, an especially forceful and vigorous style of delivery often proved highly effective in manipulating these kinds of noisy crowds. Indeed, Cicero notes that some orators were unable to adapt their style of delivery to suit this context (e.g., *Brut.* 165), while others who excelled at speaking in such assemblies did not have the oratorical finesse required by the law courts (*Brut.* 178, 223).

The situation changes to a certain degree in the early empire. As Maternus in Tacitus' *Dialogus* observes, there were now fewer opportunities to address massed crowds at political rallies (40); the grand public trials of the late republic were also a thing of the past (39; cf. Cic. *Deiot.* 5). To this extent, few orators of the empire would have acquired the special skills of delivery needed to engage effectively with a restless mob in Rome, although legionary commanders and provincial governors may well have encountered situations where such skills were required. Nevertheless many opportunities still existed for speaking in the senate and law courts (see chapters 9, 24). Moreover, we should hesitate before believing Maternus' complaint that judicial oratory had become lifeless and debilitated because most cases were now heard in *auditoria et tabularia* (“recital halls and archival offices,” 39). Quite apart from the rhetorical bias in his position, it is clear that orators employed a wide variety of theatrical tricks in these courts to augment their pleas. Perhaps the most important factor influencing the approach to delivery among Tacitus' contemporaries was the great emphasis given to declamatory performance in the education of the student.

As we shall see, the epideictic context of these performances seems to have encouraged students to cultivate a highly mannered style of delivery, one that did not transfer at all well to the real oratorical contexts in which they would eventually have to speak.

The Theory of Oratorical Delivery

These then were some of the physical environments in which the ambitious orator had to deliver his speeches. For several centuries, however, the rhetorical tradition had fairly limited advice to offer him on the subject of public performance. Theophrastus (c. 371–287 BCE) was probably the first writer to discuss oratorical delivery in any detail, although the precise nature of his treatment is unclear (Diog. Laert. 5.48; *Rhet. Gr.* 14.177.3–8, Rabe 1931; Fortenbaugh 1985). Aristotle certainly appreciated the role played by delivery both in the overall persuasive effect of a speech and in its style (*Rh.* 2.8.7–15, 2.24.5, 3.12.1–6); but overall he regards this practical aspect of the art as rather vulgar (*phortikon*, 3.1.5), and this intellectual prejudice seems to have continued for some time (see Quint. *Inst.* 3.3.4–5; Fantham 1982: 258). Even when delivery had become widely established as one of the orator's necessary tasks (Quint. *Inst.* 3.3.3, 7–9), the attention paid to it by rhetoricians remained comparatively modest. In *Rhetorica ad Herennium*, for example, the author (hereafter “Auctor”) dedicates sixty-nine sections to a detailed explication of *elocutio* (“oratorical style,” 4.1–69); delivery is treated in a mere nine sections (3.19–28). The same disparity is reproduced in Cicero's *De Oratore*: sixty-four sections on *elocutio* (3.148–212), a mere fourteen on delivery (3.213–27). More detailed study seems to have been undertaken by Plotius Gallus (Quint. *Inst.* 11.3.143), presumably after the Auctor's treatise had been written in the eighties BCE (see *Rhet. Her.* 3.19), and by Nigidius Figulus (Quint. *Inst.* 11.3.143). These works have not survived, however, and our best, most detailed treatment is supplied by Quintilian (*Inst.* 11.3.1–184).

Nevertheless the discussion in *Rhetorica ad Herennium* (3.19–27), while relatively brief, provides a useful example of the taxonomical method typical of the Hellenistic rhetorical tradition. It is difficult to say exactly how innovative or derivative the Auctor's treatment is, but it may contain several original elements, given his claim (3.19) that no one up to this point has written carefully on the subject (see Achard 1989: 1). He begins by dividing the subject into two parts: the use of the voice (*pronuntiatio*) and gesture (*actio*). As Quintilian later notes (*Inst.* 11.3.1), both of these terms could in fact be used by extension to refer to the topic of delivery as a whole. These two categories are then further divided and subdivided into numerous parts which are briefly discussed in turn.

Voice

The first of the voice's aspects – its volume (*magnitudo*) – was, as we have seen, a crucial one for Roman orators because of the physical environment in which they usually delivered their speeches. The Auctor recognizes, however, that the loudness of one's voice is largely determined by nature (*Rhet. Her.* 3.20), and to this extent is

scarcely open to actual improvement by the art of rhetoric. The orator's main priority is to ensure that this natural quality is not damaged by overuse or poor vocal technique. Recommendations in this regard included warming up the voice before embarking on highly forceful or emotional passages, and incorporating a variety of tone within one's delivery, in order to allow the voice to refresh itself (*Rhet. Her.* 3.21–2). This problem of overstraining the voice highlights the considerable stress in general that oratorical performance placed on the body of the Roman orator. Speakers in the senate and law courts could be required to speak for several hours at a time; indeed Cicero at *Brutus* 313 claims that these exertions posed a serious risk to his health when he first embarked on his oratorical career. Advanced training for a further couple of years in Rhodes and Asia Minor allowed him to refine his technique and develop his bodily strength. (Plut. *Cic.* 3 suggests that Cicero's main reason for going to Asia was to escape from the political dangers in Rome at this time; but the two explanations are not mutually exclusive.) Later in his career, Cicero evidently modified his technique still further because of his advancing years (*Leg.* 1.11; on the orator's voice-training in general, see Krumbacher 1920: 81–100).

The second main quality of the voice identified by the Auctor is stability (*firmitudo*), by which he seems to mean its ability to retain a solid tone and pitch throughout a speech (so as not to “crack,” as we would say). This quality is best acquired through frequent practice and exercise, and so again is not susceptible to precepts devised by rhetoricians (*Rhet. Her.* 3.20). The main way in which the rhetorical art can help the orator's delivery is by offering guidance on the voice's third quality, its flexibility in tone (*mollitudo*). The Auctor identifies three basic categories of vocal tone that the orator can use (see figure 1 below): a conversational tone (*sermo*), a tone of debate (*contentio*), and a heightened tone (*amplificatio*). Each of these categories is then subdivided into a number of different types: one conversational tone is suited to narrative, for example, and another to facetious or joking remarks. Each of these different types is briefly described in turn in order to help the student understand how to produce the required tone. It is recommended, for instance, that when explaining the background of a law case (that is, when using the conversational expository tone or *demonstratio*), the speaker should use a rather

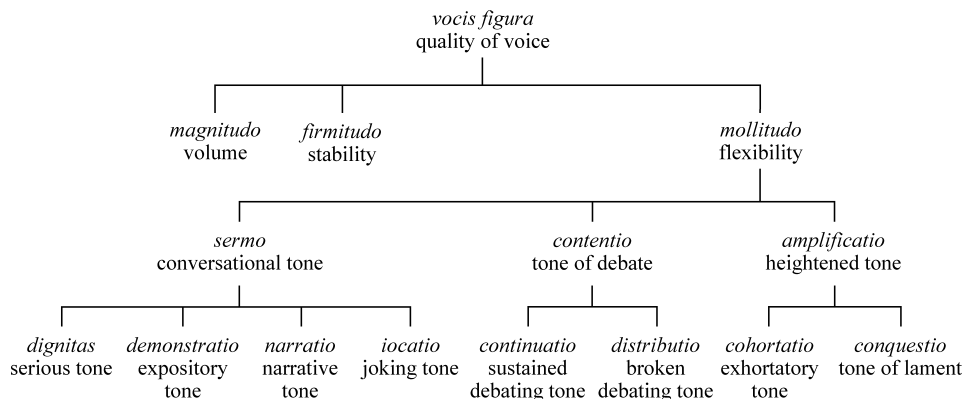


Figure 1 The taxonomy of vocal delivery as presented in *Rhetorica ad Herennium* 3.20–4

light or thin tone of voice (*voce paululum attenuata*), with frequent pauses and rests (*crebris intervallis et divisionibus*) which allow what is being said to settle firmly in the audience's mind (*Rhet. Her.* 3.24).

The different types of tone described by the Auctor correspond roughly to the different sections of a regular forensic speech. In the exordium, for example, the orator is often concerned with projecting an image of himself as reliable and trustworthy; he therefore needs to employ a tone of voice that conveys a certain *dignitas* (*Rhet. Her.* 3.24). Next he will usually need to explain certain matters to the jury (hence the term *demonstratio*) and give his client's version of events regarding the case at hand (*narratio*), tasks that involve rather different tones of voice. He may sometimes employ humor in these sections as well, an approach that likewise calls for a change in vocal style. A rather more vigorous manner, however, is required when the orator moves on to the refutation, and it is here that he should use the tone of debate (*contentio*). This will vary according to whether the assertive remarks are presented in a single sustained passage (*continuatio*) or as a series of separate exclamations (*distributio*). Finally, when speaking for the prosecution the orator will usually conclude with an attempt to exaggerate the wrongdoing of the accused and to urge the jury towards a conviction (*cohortatio*); when speaking for the defense, he will often close with an emotional plea for the jury to show mercy to the accused (*conquestio*). These two approaches are both classified under the heading of the "heightened tone," but call for quite different vocal styles (*Rhet. Her.* 3.24).

The actual tones of voice that the Auctor recommends are not too different perhaps from those that we might expect a skilled public speaker or lawyer to use today. Perhaps most noteworthy is the recommendation that in a plea for mercy the voice should be relatively low in pitch (*inclinato sono*) and restrained (*voce depressa*). The other features mentioned in connection with such pleas – long pauses, frequent hesitations, an overall variety in tone (*magnis commutationibus*) – point to a degree of theatricality and showmanship during this part of the speech (as do the accompanying gestures discussed below). The relatively restrained vocal pitch may well be intended to help retain a measure of impressiveness and grandeur within this general animation (see Gleason 1995: 92 for the associations of dignity with a low voice).

The Auctor's discussion overall has the virtues of clarity and utility, virtues not to be scorned given the handbook's pedagogical intent. For the modern scholar too it offers useful information about how orators handled the different parts of their speeches. Cicero in *De Oratore*, however, takes a very different approach to the subject. He eschews the taxonomic approach of the Auctor, which, as we have seen, is organized around the tone of voice required by the different sections of a speech, and bases his discussion instead on the different emotions that the orator wishes to express. He thus describes (*De Or.* 3.217–19) the tone to be used in order to convey *iracundia* ("anger"), *miseratio ac maeror* ("compassion and sorrow"), *metus* ("fear"), *vis* ("forcefulness"), *voluptas* ("joy"), and *molestia* ("dejection"). (On Cicero's categorization of *vis* as an emotion, see Fortenbaugh 1985: 280–1.) Like the Auctor, Cicero gives a brief description of each tone of voice to be used; the fearful tone, for example, is *flexibile, plenum, interruptum, flebili voce* ("wavering, full, halting, and mournful"), the angry tone *acutum, incitatum, crebro incidens* ("sharp, rapid, with short abrupt clauses," *De Or.* 3.217–18). Cicero, however, further illustrates each tone by quoting passages from Latin drama in which characters

express these emotions. The following quote from Ennius' *Medea*, for instance, is used to convey the tone to be used for compassion and sorrow: *quo nunc me vertam? quod iter incipiam ingredi? / domum paternamque? anne ad Peliae filias?* ("Where am I to turn now? On what path am I to embark? / Go to the house of my father? Or to the daughters of Pelias?"), *De Or.* 3.217).

There is an element of circularity in the method here. For the reader requires a measure of interpretive sensitivity in order to recreate effectively the emotional nuances presented in each dramatic passage; and yet it is this very skill at vocal interpretation that Cicero's discussion as a whole is trying to develop (cf. Sonkowsky 1959: 272). This is not to say, however, that the approach has no merit. The quotations provide useful prompts to the imagination, helping the student to understand more precisely the emotions to be expressed and to appreciate the contexts in which the different tones of voice are to be used. Cicero's use of illustrative passages from Roman drama also highlights the close association in his mind between the techniques of performance employed by both actor and orator (Petrone 2004: 40–8; Fantham 2002; see further discussion below).

Quintilian's discussion of the voice (*Inst.* 11.3.15–65) is far more detailed than those of the Auctor and Cicero, although there are several points of contact. Like the Auctor he acknowledges that nature determines many of the voice's properties (11.3.11), and he is similarly concerned with how to protect the voice from excessive strain (11.3.19). Largely because of his position as teacher of teenage students, however, Quintilian provides advice on the smaller details of vocal delivery, such as the articulation of words (the speaker is to avoid clipping final syllables), and the effective phrasing of linguistic units (11.3.33–4). It is in the course of this latter discussion that he engages in a detailed analysis of how best to deliver the opening line of Vergil's *Aeneid* – a valuable piece of evidence for modern scholars trying to understand the dynamics of Latin hexameter verse (11.3.35). Quintilian also presents a detailed analysis of the opening sentences of Cicero's *Pro Milone*. In this case he illustrates the subtle variations that can be incorporated within just a few lines, even though these lines can be categorized as a whole as belonging to the homogeneous tone of the exordium (11.3.47).

Quintilian's pedagogical concerns also lead him to stress the faults that the budding orator is to avoid, including such prosaic problems as coughing and taking noisy or obvious breaths (11.3.51–6). His greatest disapproval, however, is reserved for the histrionic sing-song style of delivery (*vitium cantandi*) then in vogue in the schools of declamation, and even in the courts themselves. Quintilian embarks upon a forceful diatribe against the practice (11.3.57–60), railing mainly against its similarities to theatrical singing (*modulatio scaenica*, 11.3.57) and its lack of dignity. He is not alone in his scorn of such practices; we find similar complaints in Tacitus (*Dial.* 26), the elder Seneca (*Suas.* 2.10), the younger Seneca (*Ep.* 114.1), and the younger Pliny (*Ep.* 2.14.12–13). This chorus of condemnation seems formidable; and yet this mannered style persisted long enough for Lucian in the mid-second century to satirize it (*Rh. Pr.* 15–19), and similar complaints are found in his contemporary Aristides (*Or.* 34; Gleason 1995: 124–30). It was most likely the product of specific schools in which the literary and artistic dimensions of declamation were valued more highly than the practical value of oratorical persuasiveness. This emphasis on individual artistry seems to have had considerable appeal to the young, competitive student;

the elder Seneca (*Suas.* 2.10) admits to having been intrigued as a youngster by Arellius Fuscus' ornate language and to have imitated his sing-song style of performance. This rather artificial style of delivery thus offers an insight into the aesthetic that developed in some of advanced rhetorical institutions of the time. As Quintilian notes, however, the young speakers coming out of these schools faced severe problems when they tried to apply these techniques in actual law courts (*Inst.* 4.2.39, 11.3.57–9).

At the same time, Quintilian acknowledges that, as Cicero himself had asserted, there is a place on occasions for a kind of singing in oratorical performance. Cicero's phrase at *Orator* 57 is *cantus obscurior*, singing that is in some way muffled or restrained. Quintilian's objection is precisely that many of his contemporaries do *not* muffle or restrain these sing-song elements in the way that Cicero prescribes (Quint. *Inst.* 11.3.60). It is not in fact clear from Cicero's own remarks what type of effect he had in mind, although Quintilian offers some suggestions. He proposes, for example, (*Inst.* 11.3.167) that in Cicero's phrase *in coetu vero populi Romani, negotium publicum gerens* at *Philippics* 2.63 the pronunciation of the words is to be drawn out, with the vowels stretched (*trahenda*) and the throat opened wide (*aperienda*), presumably in a manner used more often in singing than speaking. This creates, he says, the type of *cantus obscurior* that Cicero was referring to (11.3.172), although the tone and length of the syllables could be varied and stretched even more in exclamations such as *me miserum, me infelicem* ("o wretched, unhappy me!"). These remarks, however, are almost certainly a matter of informed guesswork, not least because *Philippic* 2 was never actually delivered by Cicero. Nevertheless, both Cicero's reference to a *cantus obscurior* and Quintilian's interpretation of it point to the possibility of a quite extravagant and dramatic vocal style of delivery at specific moments within a speech.

Overall Quintilian's discussion of vocal delivery shows little interest in the highly taxonomical approach favored by the Auctor; indeed, if anything, he is influenced by Cicero's association of specific tones with different emotions (*Inst.* 11.3.62–7). As with his discussion of gesture, however, we get the impression that his treatment is an intelligent synthesis of wide study and practical experience. (On later treatises on the orator's use of the voice, see Gleason 1995: 88–94.)

Gesture

Rhetorica ad Herennium provides our oldest extant discussion of gesture from the late republic and it is based upon the taxonomical scheme that the Auctor has already established for his discussion of the voice (see figure 2 below). The different kinds of gesture that the orator can use are thus keyed in to the different moods and aims of the various parts of a forensic speech. The serious, dignified tone often employed at the start of a speech, for example, calls for a gentle movement of the right hand and arm (3.26); the more assertive, argumentative tone typical of the refutation requires a brisker motion of the arm, which is sometimes thrust out quite vigorously (3.27). Perhaps most importantly three quite specific gestures are mentioned in connection with the more emotionally charged moments of a speech: stamping the foot (*supplausio pedis*, 3.27) is used to express forcefulness in debate, while

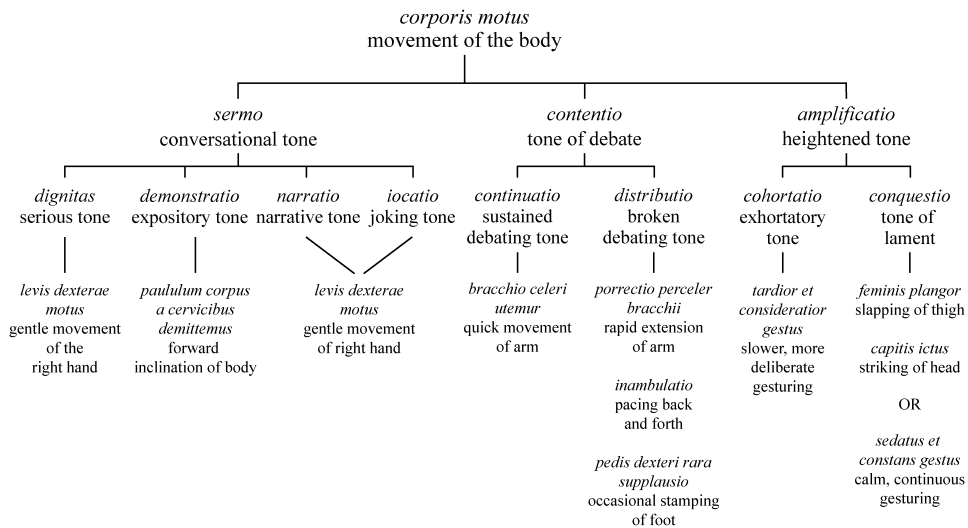


Figure 2 The taxonomy of oratorical gesture as presented in *Rhetorica ad Herennium* 3.26–7

striking the thigh (*feminis plangor*, 3.27) and smiting the head (*capitis ictus*, 3.27) can be used in the emotional peroration of a speech. These are not gestures regularly used by modern public speakers in western English-speaking countries, but they seem to have formed part of a common repertoire of oratorical gesture in Rome; Cicero too mentions them, although not in his formal discussions of *actio*. They thus represent a significant cultural difference in the gestural expression of high emotion in public. There was room, however, for different aesthetic perspectives: Quintilian regards striking the forehead as too theatrical (*scaenicus*, *Inst.* 11.3.123); and the Auctor seems to suggest that a plaintive effect can also be achieved in the *conquestio* through the use of a calm and continuous style of gesturing (*sedatus et constans gestus*). Generally he recommends that the orator stand still when speaking (3.26), although some walking back and forth (*inambulatio*, 3.27) during the more confrontational parts of an oration is appropriate.

The Auctor also shows an interest in the facial expressions (*vultus*) that the orator should employ at different moments in a speech. The inclusion of this topic in discussions of delivery seems to go back to Theophrastus and is found in Cicero's treatment too (Fortenbaugh 1985: 272–3). The Auctor recommends, for example, that the orator use a facial expression that is *maestus et conturbatus* ("sad and distressed") when attempting in the peroration to play upon the jurors' pity (*Rhet. Her.* 3.27). The aim of such advice is partly to ensure that word, gesture and facial expression all correspond with each other. But it is also recognized that facial expression can lend authority and conviction to the orator's words. The Auctor's discussion of the subject, however, is relatively brief. He suggests that the orator direct his head and expression more obviously toward the audience when laying out the background to a case in the *demonstratio*, presumably in an attempt to convey a sense of earnest engagement with them. And in the continuous tone of debate, the rapid movements of the arm (*bracchium celer*) are to be complemented by ready changes in facial expression (*mobilis vultus*). When debating specific points, however,

he recommends a more fiery (*acer*) and unchanging expression (*defixus aspectus*). Even with these prescriptions, the Auctor's discussion of gesture still runs to only two sections in total and omits detailed descriptions of gestures using the fingers or hands.

As in his discussion of the voice, Cicero makes no attempt to apply a taxonomical approach in his treatment of gesture. Indeed, his main concern is to offer basic guidelines on the kind of gesturing to avoid. In *De Oratore*, for example, he states that hand gestures should complement what is being said, but not attract attention to themselves through too much movement, or through too explicit a representation of the subject matter. Indeed Cicero characterizes gestures that represent specific words or emotions as too theatrical (3.220); he does not, however, go beyond these general principles to discuss exactly what gestures should be used to reinforce the orator's words in the way that he suggests. His discussion in *Orator* (59–60) is scarcely more detailed, and the overall impression emerges that while he had clear ideas about the kinds of gesture that the orator should *not* use, he did not apply any detailed theoretical analysis to the gestures that he himself employed.

Quintilian's discussion of gesture differs in several important ways. Most strikingly he goes beyond the three basic emotional gestures outlined by Cicero and the Auctor and includes detailed descriptions of the various smaller movements of the hands that the orator can use in conjunction with his words. At *Institutio Oratoria* 11.3.92, for example, Quintilian describes in the following terms a gesture especially well suited to a speech's exordium:

est autem gestus ille maxime communis, quo medius digitus in pollicem contrahitur explicitis tribus, et principiis utilis cum leni in utramque partem motu modice prolatus, simul capite atque umeris sensim ad id quo manus feratur, obsecundantibus. (Quintilian, *Institutio Oratoria* 11.3.92)

There is however that especially common gesture, in which the middle finger is placed against the thumb and the other three extended. It is suited to the openings of speeches; the hand is carried forward a short distance with a gentle movement to left and right, while the head and shoulders slowly follow the hand's direction.

In all he describes some twenty different gestures involving the hands. These gestures form part of a larger discussion in which the orator's use of various parts of his body during delivery are methodically described, beginning with the head (11.3.68) and proceeding in turn down to the legs and feet (11.3.128). Modern scholars have tended to view Quintilian's detailed guidelines here as a complex and challenging theoretical system, sharply divorced from everyday experience (see, e.g., Graf 1991: 50; Aldrete 1999: 17). But this view privileges theory over practice. Quintilian in fact tells us that hand gestures played a significant part in day-to-day communication in Roman society (11.3.85–6). The budding orator will thus have already acquired quite an extensive vocabulary of conversational hand gestures as he was growing up; many of these are likely to have been the same as, or to have formed the basis of, the gestures that Quintilian proposes for oratorical use. The main challenge for the young orator was not so much acquiring a new vocabulary of gesture, as it was adapting his existing practices to the precision and emphasis required by formal oratorical performance. Moreover, given that there was almost certainly a strong cultural

continuity from republic to empire in the use of everyday conversational gesture, it is likely that Cicero himself made considerable use of the hand gestures that Quintilian describes even though he has little interest in discussing such minutiae in his own rhetorical works. To this extent Quintilian's impressive and fascinating catalogue of hand gestures does not reflect a significant development in the *practice* of oratorical delivery in the imperial period; it is rather a case of rhetorical theory finally taking an interest in and describing phenomena that had been in common use for generations (Hall 2004).

With Quintilian's discussion the study of oratorical delivery, especially gesture, at last comes of age. Certainly the influence of earlier writers such as Nigidius Figulus is difficult to judge; but Quintilian's treatment is admirable for its interest in the finer details of hand gestures, the precision of its descriptions, and the methodical way in which he addresses each aspect that contributes to the orator's performance as a whole. It is clear too that delivery now received greater attention in the schoolroom than it had previously. Quintilian observes, for example, that some students make the mistake of planning the gestures to be used before they have decided on their actual words (11.3.109). This self-conscious analysis of hand gestures would have been quite unfamiliar to the late republican orator. Quintilian too pays attention to the appropriateness of the orator's facial expression (11.3.72–81), although, as in his discussion of the voice, his experience as a teacher of young students leads him to refer to a good many faults that we today would not perhaps expect a mature orator to display. He also extends his discussion to include topics such as the orator's handling of his toga during a speech. With such subjects we cross over into the wider sphere of image management, an important subject discussed further below.

Oratorical Delivery in Practice

So much then for the rhetorical theory of delivery. These discussions, however, do not present us with the whole story. It is clear from Cicero's orations that a good deal more was involved in the performance of a speech. In particular, the emotional appeals that he employs toward the end of numerous speeches (in the so-called peroration) involve aspects of careful stage-management. In *Pro Flacco*, for example, Cicero evidently brought the defendant's son before the jurors to try to evoke their sympathy (106). And, unless this is a detail included only in the written version of the speech, he had apparently coached the boy beforehand to supplicate the jurors and look tearfully toward him on cue: *huic misero puero... supplicii; qui etiam me intuetur, me vultu appellat* ("this poor suppliant boy... who even turns his eyes towards me, and whose face makes an appeal to me," 106). Similarly, in *Pro Fonteio* he arranges for mother and sister to embrace the defendant toward the conclusion of the speech, and Fonteius himself is depicted as suddenly bursting into tears (46). His sister, whose status as Vestal Virgin Cicero unashamedly exploits, even stretches out her arms to the jurors in supplication (48). In *Pro Plancio*, by contrast, it is the defendant's father who is paraded for emotional effect, while Plancius himself goes down on his knees to the jury and Cicero tearfully helps him up and embraces him: *te tamen – exsurge quaeso – retinebo et complectar* ("stand up, I beg you. You I shall hold close in my embrace," 102). Here too action and word would have needed careful choreographing: *quid me*

adspectas? quid meam fidem imploras? (“why do you look at me like this? Why beg me to be true to my word?”), 102). (For other speeches in which the defendant’s relatives are presented to the jury, see *Sull.* 88, *Sest.* 144–6, *Verr.* 2.1.151; in general see Winterbottom 2004.)

Cicero seems to have exploited a rather different cliché in his defense of Rabirius Postumus, dramatically revealing the defendant’s scars in the course of his speech: *qui hasce ore adverso pro re publica cicatrices ac notas virtutis accepit* (“he who, facing the enemy, has received these scars, these marks of valor, in his country’s cause,” *Rab. Post.* 36). This was a ploy that Marcus Antonius (consul in 99 BCE) had likewise used about half a century earlier to great effect (see Leigh 1995: 200–7). Appeals to the emotions could also include a more or less ritualized formal supplication of the judges. Asconius (28; Clark 1907) tells us that at the trial of Marcus Aemilius Scaurus on charges of corruption (54 BCE) some ten prestigious supporters of the defendant engaged in a collective supplication of the jury. Again this action must have been stage-managed in advance. (See *Cic. Fam.* 4.4.3, *Att.* 4.2.4, *Q. Fr.* 2.6.2 for other examples of this device.) These dramatic supplications continued in Quintilian’s time (*Inst.* 6.1.34).

There is evidence too of orators using rather more complex props during their speeches in attempts to exploit the emotions. At *Pro Rabirio* 24, Cicero criticizes the prosecution for their production in court of a portrait of the murdered tribune Saturninus, which had evidently been displayed earlier too at a public assembly (*in rostra atque in contionem*). And Quintilian refers to Cicero in the now lost *Pro Vareno* addressing sarcastic comments to a youth whose wound had been unbound by the prosecutor during the course of the trial, presumably for heightened visual impact (*Inst.* 6.1.49). As this example shows, orators had to develop strategies to try to foil their opponents’ exploitation of these manipulative techniques. Thus we hear of Hortensius denouncing Cicero’s production in court of a certain Iunius, dressed in his *toga praetexta*, while his father gave evidence against Verres (*Verr.* 2.1.151). Similarly Laterensis scoffingly disparaged the *lacrimula* (“[feigned] little tear”) that Cicero had shed in the earlier trial of Marcus Cispus (plebeian tribune in 57 BCE; see *Planc.* 75–6), presumably in an attempt to undermine Cicero’s use of such tactics in the present dispute (tactics that he did in fact go on to employ). And Quintilian suggests that the following quip be used to undercut the opponent’s production in court of a crying child: *date puero panem ne ploret* (“give the child some bread to stop him crying!”), *Inst.* 6.1.46–7).

It is clear from Quintilian’s discussion of this issue that such stage-managed effects were widely employed in the imperial courts as well. In fact, in a revealing autobiographical remark, Quintilian observes that much of his own oratorical reputation was based on his convincing exploitation of tearful appeals to the emotions (6.2.36). Other props and tricks that he mentions include the production in court of specially drawn pictures of the crime scene (6.1.32), blood-stained weapons claimed to be those used to commit the crime under investigation, and even bits of bone supposedly taken from victims’ wounds (6.1.30; cf. also 6.1.39, 6.1.47–8 for various defenses against such tricks as these).

Naturally such techniques had to be matched appropriately to the oratorical context. Cicero at *Orator* 102–3 stresses that he applies different persuasive approaches to different types of case. *Pro Caecina*, for example, revolves largely around

interpretive issues of civil law and concludes with a sober review of the facts of the case. Cicero's delivery in this instance was presumably relatively understated. Similarly, he does not indulge in histrionic pleas for mercy in *Pro Quinctio*, which was delivered before a single judge. Instead he presents Quinctius' request for compassion in a restrained and succinct manner (91). Overall, the type of delivery employed in a legal case seems to have been shaped by various factors: the importance of the case at hand, that is, whether it had wider political implications or was essentially a private dispute; the status of the defendant; the character of the jury or judge; and the character of the defendant and his relationship with Cicero. Thus while the trials of Aulus Licinius Archias and Lucius Cornelius Balbus (consul in 40 BCE) had political dimensions, especially with regard to Pompey and Caesar, the matters of citizenship that they addressed were not issues of high state (see Cicero's *Pro Archia* and *Pro Balbo*); and the individuals on trial were not Romans of grand aristocratic standing. So in these rather technical cases Cicero again adopts a relatively muted style in the closing sections. It is a different matter, however, when Roman senators are brought to trial in connection with their behavior as provincial governors or in important elections. It is in these highly charged contexts that we find Cicero exploiting to the full the tricks of emotional manipulation. (Cf. also Cic. *De Or.* 2.205; Quint. *Inst.* 6.1.36; Lussky 1928: 95–6.)

Delivery and Image Management

A consistent feature in discussions of oratorical delivery is a concern with image management. The role of orator placed the ambitious Roman male in a position of high social visibility; public speaking was one of the main ways in which he could fashion for himself a distinctive public profile (Corbeill 2004: 107–39). Quintilian discusses these issues in considerable detail, although both Cicero and the Auctor also demonstrate a concern with them. The projection of masculinity was particularly important in this respect, as several recent studies well document (see Gleason 1995; Enders 1997; Richlin 1997; Gunderson 2000): the aspiring orator was to make sure that he talked, walked, and generally carried himself like a man, that is, in accordance with the aristocratic social construct of what constituted appropriate masculinity. Thus, Cicero calls for: *laterum inflexione hac forti ac virili, non ab scaena et histrionibus, sed ab armis aut etiam a palaestra* (“a vigorous and manly posture of the upper body that derives not from actors and the stage but from the army or even the wrestling grounds,” *De Or.* 3.220; cf. *Orat.* 59). For the Auctor too the ideal is based around a “manly dignity” that is defined by its opposition to “female” excess (*Rhet. Her.* 3.26). Similarly, Hortensius' opponents in a lawsuit tried to denigrate his style of delivery by highlighting its effeminate aspects, comparing him with a female mime-artist and dancing-girl (Gell. *NA* 1.5.2–3; see also Quint. *Inst.* 1.8.2, 1.10.31; Connolly chapter 7).

In fact Cicero, the Auctor and Quintilian reveal an anxiety not just with masculinity but with social class in general (a point recognized but strategically underplayed by Gleason 1995: 115 and Enders 1997: 269 n26). The aristocratic orator had to make sure there was nothing in his gestures or movement that smacked of the humble laborer: *convenit . . . in gestu nec venustatem conspiciendam nec turpitudinem esse, ne*

aut histriones aut operarii videamur esse (“there should be nothing too delicate or crude in our gesturing, so that we avoid the impression of being either actors or laborers,” *Rhet. Her.* 3.26). Cicero too (*Orat.* 86) speaks of the need to use facial expressions that show the orator’s good breeding. Concerns with masculinity are to this extent merely part of a wider concern with the orator’s ability to function as a leading member of the civic community (see chapter 7; also Graf 1991: 44).

This concern with status created particular anxiety whenever the orator’s role as public speaker came to be compared with that of the actor. The comparison was natural enough perhaps: both orator and actor were performers who relied on voice and gesture to manipulate their audience. Indeed, from a practical point of view, it was recognized that certain aspects of the actor’s technique could be profitably applied to the sphere of oratory. Cicero himself was a friend of the famous actor Roscius and greatly admired his skill in gesture (*De Or.* 1.251; Plut. *Cic.* 5; Macrob. *Sat.* 3.14; Wright 1931: 16–20; Fantham 2002: 364–5). As we have seen, it seemed natural enough to him to use examples from the tragic stage to help illustrate the kinds of vocal tone that the orator should strive to achieve. And Quintilian in turn acknowledges that useful advice can be taken from the professional voice trainers (*phonasci*) used by actors (*Inst.* 11.3.19). (In fact Augustus is said to have trained with such a coach and on occasions to have used a *praeco*, “herald,” to address large crowds; Suet. *Aug.* 84.) On the other hand, it was in the interests of the aristocrat to maintain a sharp distinction between the two activities of oratory and acting. The orator, who was in practice always a member of the upper classes, should not appear *too much* like an actor. In the first place, actors were professionals who had to work for a living (unlike aristocrats); and second, their performances often involved gestures, actions, and voices that contravened the norms of senatorial *dignitas* and manliness (see Wistrand 1992: 30–40; Edwards 1997a: 79–81). The ideal Roman politician possessed *constantia* and *auctoritas*, qualities that depended to a large extent on consistency and impressiveness of character; the successful actor by contrast was paid to take on a variety of roles, often comic or highly mannered. Thus while Quintilian and Cicero both admired a degree of charm and refinement in oratorical gesture, it was important to know where to draw the line: *ita tamen temperanda, ne, dum actoris captamus elegantiam, perdamus viri boni et gravis auctoritatem* (“but [gesturing] needs to be moderated so that, in our desire to attain the elegance of the actor, we do not lose the authority enjoyed by the good and serious man,” Quint. *Inst.* 11.3.184).

At first glance the highly dramatic and emotional pleas that, as we have seen, Cicero regularly employed in his defense speeches may themselves seem to compromise his senatorial dignity. But in a judicial context an orator’s apparently submissive and tearful pleas on behalf of another could readily be interpreted not as a sign of personal weakness but as a praiseworthy and whole-hearted commitment to his friend’s cause. Energetic displays of emotion showed that the orator was fulfilling his obligations to those who depended on him (cf. Cicero’s remarks at *De Or.* 2.192–3; also Graf 1991: 44–6). It is quite possible too that, for all the value traditionally attached to *gravitas* within the aristocracy, the very passion and emotionality of such performances held a powerful allure for the Roman orator’s audience (see MacMullen 1980b; May 1994).

The orator’s concern with image management could also take on a broader political reference. Since the projection of *dignitas* was largely achieved through

appropriate comportment, a poised style of oratorical delivery readily became associated with the traditional aristocracy and their policies (Corbeill 2004: 111–16). Orators wishing to associate themselves with more radical political agendas could therefore do so by adopting a quite different manner of delivery and self-presentation. This style of oratory, labeled *eloquentia popularis* by David (1980), was naturally employed more often in *contiones* than in judicial speeches. Cicero identifies a number of tribunes of the people whose oratorical manner was distinguished by an especially vehement and forceful style of delivery: Gaius Gracchus (plebeian tribune in 123 BCE; *De Or.* 3.214); Lucius Appuleius Saturninus (plebeian tribune in 100 BCE; *Brut.* 224; cf. *Leg.* 3.26); Sextus Titius (plebeian tribune in 99 BCE; *Brut.* 225); Lucius Quinctius (plebeian tribune in 74 BCE; *Brut.* 223, *Clu.* 77). This style – Cicero’s favorite words to describe it are *acer* and *vehemens* – seems to have been an effective one when dealing with large crowds in Rome and was evidently much exploited by politicians trying to pursue their agendas via the popular assembly rather than the senate. The adverb *populariter* could also be applied, however, to any orator who spoke to a large crowd in a manipulative and demagogic manner, whatever his general political alignment. Thus Cicero himself can on occasions be classified in this group (see David 1980: 185 and the important discussion by Morstein-Marx 2004: 119–59).

In general, however, Cicero viewed this type of oratory with anxious disapproval. The style of Gaius Staienus (quaestor in 77 BCE), for example, is disparagingly described as passionate, aggressive and frenzied (*fervido quodam et petulanti et furioso genere dicendi*, *Brut.* 241); and yet Cicero notes that this technique proved popular with the people. Similarly, although Gaius Cosconius Calidianus is described as lacking any real talent, he was evidently still able to attract large crowds (*Brut.* 242). Cicero’s depiction here may well involve some distortion, privileging traditional and refined styles of oratory while underplaying and marginalizing more demagogic types, which may have been more effective and popular than he is prepared to admit.

In his discussion of these demagogues, Cicero also refers on occasions to their distinctive mode of dress. Saturninus, for example, is described as *eloquentissimus* (“very eloquent”), but effective primarily on account of his handsome appearance, gesturing, and dress sense (*specie et motu atque ipso amictu*, *Brut.* 224). Similarly Lucius Quinctius is noted for his choice of clothes, in particular a purple garment that extended to his ankles (*Clu.* 11; see further Morstein-Marx 2004: 272–3). Again there is an element of derisive condescension in Cicero’s remarks, but nevertheless they illustrate well the importance that such features could play in the orator’s performative impact (David 1980: 184; Heskell 1994: 141–2; Dyck 2001).

As Aristotle recognized (*Rh.* 3.12.1–6; cf. Gill 1984: 165), the general manner of delivery that an orator adopted could influence his linguistic style and vice versa. This relationship has particular relevance to the so-called Atticist debate that engaged Cicero and his contemporaries. The restrained yet elegant prose style proposed by Atticists such as Calpidius (*Brut.* 274–8) and Calvus (*Brut.* 284) did not lend itself all that well to a vigorous and emotional manner of delivery. Indeed, in one legal case Cicero cleverly exploits the restrained style of Calpidius’ performance by arguing that the latter’s prosecution of Quintus Gallius on a charge of poisoning is not credible, simply because he showed no sign of anger or indignation as he presented the case (*Brut.* 274–8). The incident highlights a fundamental ideological divide: highly

emotional language and delivery on one side, restraint and reason on the other. Not surprisingly, Cicero ends up arguing vigorously against an aesthetic that sought to eliminate one of his most effective persuasive tools. At *Brutus* 279 and *Orator* 56 and 69 he asserts that the manipulation of the audience's emotions is in fact the orator's greatest challenge and achievement; the very bustle of Roman public oratory demands an energetic and impassioned style (see *Brut.* 317; Wisse 1989: 265; Narducci 1997: 81).

Appeals to the Emotions in Rhetorical Theory

And yet advice on exploiting the audience's emotions does not in fact seem to have featured prominently in the standard handbook tradition; when the emotions are mentioned, it is usually with reference only to the opening or conclusion of a speech (Solmsen 1938: 392). It was Aristotle who made the exploitation of the emotions a central feature of his rhetorical system, possibly following the lead of Plato's *Phaedrus* 271a–b (Solmsen 1938: 393–4; Wisse 1989: 41 with n. 153). For him emotional manipulation was not restricted to just a few parts of a speech; it was one of the main persuasive devices available to the orator (*Arist. Rh.* 1.2.4–7). He identifies two dimensions to an audience's emotional response. One is based on its reaction to the speaker's character or *ethos*; the orator has much to gain if his projected persona can win the audience's trust and respect. (See Gill 1984: 153; Wisse 1989: 32; May 1988.) The second dimension involves the arousal of strong emotion (*pathos*) within the audience (*Arist. Rh.* 2.1.5–2.11.7); through the use of various tropes, the orator can stir those listening to pity, anger, indignation and the like, often to great persuasive effect. (On the definitions of *ethos* and *pathos* and their difficulties, see Quint. *Inst.* 6.2; Gill 1984: 158–9; Wisse 1989: 34, 236.) Nevertheless, while Aristotle systematically outlines the ways in which the orator can exploit *ethos* and *pathos*, he has little to say about the role of delivery in this respect.

Cicero too was keenly aware of the part played by the emotions in the process of persuasion. But while he presents an important and insightful discussion of the subject at *De Oratore* 2.188–214 (see Wisse 1989: 250–300), he keeps this quite separate from his treatment of *actio*. Only Quintilian explicitly acknowledges the close relationship between these two features of rhetorical theory. As he notes toward the end of his extensive treatment of *actio*: *possunt videri alia quoque huius partis atque officii: reos excitare, pueros attollere, propinquos producere, vestes laniare, sed suo loco dicta sunt* (“it may be thought that there are other matters that belong to this part and this function of an orator: calling forward the defendant, lifting up his children, leading forward his relatives, tearing one's clothes; but these have been discussed in their proper place,” *Inst.* 11.3.174). Their “proper place” for Quintilian is his discussion in book 6 of the role of the emotions in oratory (6.1.30–5).

We have already mentioned some of the ways in which Cicero in his perorations attempted to appeal to the jurors' pity and compassion. But in certain circumstances the orator also strove to stir up anger and indignation (*De Or.* 2.185–90; cf. Lussky 1928: 22–3, 97). This tactic would be employed most regularly in a prosecution, and good examples can be found in Cicero's speeches against Verres (e.g., 2.1.40–54, 64–70; 2.4.26–54; 2.5.160–3). But in a few cases this technique is also applied in defense

speeches. In the peroration in *Pro Roscio Amerino*, for example, Cicero, as well as trying to gain sympathy for the defendant, rails angrily at Chrysogonus, the man (he claims) who is behind this unjust prosecution (*Rosc. Am.* 145–6). Similarly, at *Pro Cluentio* 199 he harshly criticizes Cluentius' mother for engineering the present attack in the law courts on her son (cf. Quint. *Inst.* 6.1.9–10). This basic technique also finds ready application in the bitter rivalries of Roman politics, especially in the use of invective (see chapter 12).

The exploitation of the emotions, however, was something of a morally contentious issue for the writers of rhetorical treatises. Quintilian, for example, states that certain philosophers permit only one type of peroration, namely the factual summary of main points; they reject the more theatrical appeal to the emotions (*Inst.* 6.2.6–7). Indeed, the Stoic senator Publius Rutilius Rufus notoriously refused to indulge in such antics when brought to trial (probably in 92 BCE) on charges of provincial extortion. He was promptly convicted (*De Or.* 1.230; Quint. *Inst.* 11.1.12; Hendrickson 1933; Leigh 2004). The ambitious orator of course had little room for this kind of scruple. Quintilian in fact candidly admits that appeals to the emotions often involve moving the audience's attention away from the truth (*ab ipsa veri contemplatione abducenda mens*, *Inst.* 6.2.25). In *De Oratore*, however, Cicero's Antonius goes out of his way to argue that extravagant appeals to the emotions are *not* always cynically exploitative, an argument probably designed to counter criticisms that contemporaries had launched against Cicero himself. Some critics, for example, seem to have expressed incredulity that the orator can be genuinely moved so often and to such an extent by the plight of those he is defending. To this Cicero makes Antonius reply that the commonplaces used in such appeals (for example, the parent's sorrow at a child's potential exile) have an innate power (*vis*) that readily stirs the orator's emotions (*De Or.* 2.191–2).

The argument is not entirely self-serving, perhaps. Cicero, like any good actor, was probably able to empathize with his client's position so strongly that he was in some way emotionally moved as he delivered his speeches. But even if this is true, the element of cynical manipulation behind these strategies still remains. We should be skeptical, for example, when Cicero makes Antonius claim (*De Or.* 2.194–6) that his ripping open of his client's tunic to reveal battle scars was the result of his genuine sorrow at the man's plight and not carefully planned beforehand. As we have seen, the careful stage-management of such effects was a regular feature of Cicero's own oratory. Cicero tries to claim a higher moral ground with the assertion that this emotional engagement arises also from the orator's sense of loyalty and responsibility to his clients (*fides*, *officium*, *diligentia*, *De Or.* 2.192–3). This worthy end, then, justifies the means. Certainly we should not underestimate the importance to the Roman of notions such as *fides* and *officium*; but an orator's *fides* to his friend strictly speaking has no relevance to the rights and wrongs of the trial at hand. And in the rather different context of the *Tusculan Disputations* Cicero acknowledges that the orator's exploitation of the emotions is calculatingly manipulative (4.55; see the good comments of Narducci 1997: 87–94).

In these discussions, however, Cicero and Quintilian are not solely concerned with justifying ethically dubious practices; they are also trying to impart useful practical advice. From this point of view, it is simply bad technique for an orator to feign emotional involvement (Cic. *De Or.* 2.189–90, *Orat.* 132; Quint. *Inst.* 11.3.61–3). So, once such appeals to the emotions are accepted as a valid tool of the orator's

trade, the issue then becomes how the speaker can best generate the necessary emotions, both in himself (so as to make his appeal convincing) and in the audience. For Quintilian, it is a matter of employing one's powers of imagination: by forming vivid images in his mind of the situation he is speaking about, the orator will be able to evoke in himself real emotions appropriate to the subject (*Inst.* 6.2.29–32, 11.3.61–3; cf. Cic. *De Or.* 2.195). And from these will arise in turn the appropriate vocal tones and gestures. If the orator is then able to convey these images effectively to the audience, he will succeed in rousing the same powerful emotions in them too. (On this topic, see Schrjvers 1982; Webb 1997.)

For the Romans, then, oratory was closer to what we would call today a performing art than a literary genre. When Cicero in his *Brutus* surveys Rome's most important orators, his remarks most commonly focus on their styles of delivery. Certainly his fellow connoisseurs could appreciate the finer points of linguistic style and rhetorical strategy through the study of written texts. But for most Romans, the speaker's impact was tied primarily to the occasion of delivery, and it was on this that they judged his success. The challenge for the modern reader is to take the surviving texts of these speeches and try to construct an accurate picture of the oratorical event in its totality.

FURTHER READING

Standard commentaries on Cicero's speeches tend to focus on textual, historical, and linguistic matters; only in the last two decades or so have the issues concerning delivery been studied in a concerted manner. Good starting points in English are Fantham (1982), Gotoff (1993b), and Aldrete (1999). For recent studies in German and Italian, see Wöhrle (1990), Cavarzere (2002), and Petrone (2004). There are few detailed studies of the orator's use of the voice; Pflaum (1924) provides a relatively convenient (but flawed) English translation of the analysis by Krumbacher (1920); see also Sonkowsky (1959) and Fantham (2002). Useful discussions of oratorical gesture can be found in Graf (1991), Corbeill (2004), and Hall (2004), together with the German commentary of Maier-Eichhorn (1989). On the relationship between oratorical performance and issues of masculinity, see Gleason (1995), Richlin (1997), Enders (1997), and Gunderson (2000). The topic of the emotions in rhetorical theory is treated in detail by Wisse (1989); further useful studies include Schrjvers (1982), Gill (1984), Webb (1997), and Winterbottom (1998). For an experimental attempt to reconstruct the performative elements of Cicero's speeches, see Hall and Bond (2002, 2003).

PART IV

Rhetoricians and Orators

CHAPTER EIGHTEEN

Lost Orators of Rome

Catherine Steel

The record of Roman oratory is dominated by the figure of Cicero. No complete speeches survive from the republican period from any other speaker; in the imperial period, up to the end of the second century CE, we have only the younger Pliny's *Panegyricus*, from 100 CE, and Apuleius' *Apology* (158–9 CE). This overwhelming dominance by a single individual is particularly problematic for a literary genre which represents an intensely social activity. Orators need audiences, and in forensic cases they have opponents; and in as intensely competitive an environment as the late republic, oratory too becomes an arena for necessary rivalry and emulation. When Cicero wished in 46 BCE to commiserate with Brutus on the overthrow of his political career due to the civil war, one of the saddest aspects of the situation, he thought, was Brutus' lack of rivals with whom to sharpen his talents (*Brut.* 331–3). Our reading of surviving Latin oratorical texts is very partial.

Sources

However, to set against the paucity of actual texts there survives a large number of fragments and *testimonia* about the activities of orators in the republican and imperial periods. And these survivals are not entirely random. Rather, they are the product of the attempts by a variety of ancient writers to record and understand the nature of Roman oratory; and this process inevitably caused the imposition of specific patterns of interpretation upon the material which they had available. Before considering, then, the other orators and rhetoricians, the sources upon whom they depend need a brief consideration.

For the oratory of the late republic, Cicero's *Brutus* is the major source. This work is a history of Roman oratory from its origins down to Cicero's own time, and a very great part of it consists of brief biographies and assessments of orators who spoke at Rome. It is thus of enormous value in giving a very full picture of who the orators in

this period were and, in some cases, of the specific occasions on which they spoke. Nonetheless, Cicero's approach to the history of oratory is colored by two major preoccupations. He is concerned to protect the reputation of his own oratory from those who had accused him of excessive flamboyance and wordiness – the so-called Atticist/Asianist controversy; and he was also grappling with the question of his own position in rhetorical history (Steel 2003). In the light of these concerns his construction of Roman oratory and orators can be seen as a matter of *choice*. He has Atticus, one of his interlocutors in the dialogue, frequently draw attention to the fact that his criteria for inclusion are extremely broad and consequently many men are included whose skills Atticus does not regard highly; this self-consciously generous scope enables Cicero to portray oratory as an essential civic trait and thus contrast the pre-civil war period with the current dictatorship of Caesar and its attendant lack of spaces for speaking.

There are grounds, then, for being hesitant in accepting the crowded stage of the *Brutus*. There is no reason to doubt the general accuracy of Cicero's information about specific individuals, but the overall picture of very extensive participation in public speaking needs to be understood within Cicero's argumentative purpose in the work as a whole. Speaking in public was indeed an essential component of late republican political life, but it does not in turn imply that great oratorical skills were in the possession of all members of the senate.

Other filters can be perceived in other writers. A major source of fragments of republican oratory is the second-century CE antiquarian Aulus Gellius. Gellius is particularly interested in the oratory of Cato the Censor and Gaius Gracchus, as well as that of Cicero. He is much less concerned with the oratory of Cicero's contemporaries (*aetas M. Ciceronis et C. Caesaris praestanti facundia paucos habuit* . . . , "the age of Marcus Cicero and Gaius Caesar had few men of outstanding eloquence . . . , " NA 19.14.1; Holford-Strevens 1988: 142–65) or with those of the imperial period. His quotations bear this out. Apart from a sentence from a speech by Caesar, the latest piece of oratory he refers to at any length (Cicero aside) is Metellus Numidicus' speech against the tribune Manlius in 107 BCE (7.11.1). As Gellius is responsible for the preservation of a significant proportion of the fragments of republican oratory his predilections undoubtedly distort our record. Quintilian, by contrast, does admire and quote from some of Cicero's contemporaries, particularly Caelius and Calvus, though the bulk of illustrative material is taken from Cicero's speeches – providing, incidentally, our most important source of evidence about a number of his speeches which are now lost; as his purpose in the *Institutio Oratoria* is primarily didactic, rather than comparative or historical, it is hardly surprising that he tends to choose examples from the work of Rome's greatest orator. Nonetheless, Quintilian is also a valuable source for orators after Cicero and he does not automatically disparage oratory since the end of the republic. Tacitus' *Dialogus de Oratoribus* contains much important information as well as analysis about a broad scope of Roman oratory (see chapter 24). Valerius Maximus' collection of *exempla*, composed probably in the thirties CE, contains some extremely valuable material for the late republic, preserved to illustrate particular characteristics: he is the source of the fragment of Helvius Mancius (see below) whose talents as an orator would otherwise be completely obscured.

Another method that has been employed to broaden our view of oratory is the reconstruction of the speeches delivered by Cicero's opponents in the law courts,

most recently, and systematically, by Alexander (2002). His results are impressive, and allow us to speak with more confidence about the oratory of Cicero's contemporaries in relation to specific forensic cases; nonetheless, Cicero's responses to the opposition are so various and cunning that it remains extremely difficult to be confident of what exactly may have been said to provoke what we can observe in his own speeches.

One final point needs to be observed in relation to the sources: by no means all speeches that were delivered at Rome were subsequently written down. Orators tended to prepare most of their speeches in advance and deliver them from memory, rather than extemporize (though circumstances could well arise which demanded improvisation); to that extent a "text" existed. But it was a matter entirely for the orator as to whether he had a written version subsequently disseminated. Some orators never disseminated their speeches; those who did were selective (Crawford 1994: 1–21). Insofar as we approach oratory as a purely textual phenomenon, we are considering something which was subject to massive editorial intervention long before the vagaries of transmission wiped most of it out. This is a quite separate problem from the equally serious one of delivery: that is, the performance aspect of Roman oratory, which means that surviving speech texts can only give a limited sense of the effect of the spoken version (see chapter 17); it is noticeable that much of the critical response to the orators handled in this chapter relates to delivery rather than content.

In what follows I identify and discuss the orators whose speaking made a serious impression on their contemporaries and on later writers; I also consider some of the teaching about rhetoric from the republic.

The Republic

Rhetoricians

A clear distinction can be drawn between rhetoricians, who teach oratory, and orators, who speak in public. However, the picture is complicated by the identity of those who write about rhetoric, since in the republican period these tend to be practitioners rather than teachers; and the vogue for declamation, that is for the delivery of practice speeches, introduced a further element, inasmuch as what had been primarily a teaching tool became a pastime for those already active as speakers.

Theoretical writing in Latin about rhetoric follows only slowly behind its practice; Cato had been delivering and disseminating his speeches from the mid-second century but the first rhetorical handbooks in Latin date only to the first decade of the first century BCE, and therefore postdate what appears to have been a major crisis in rhetorical education at Rome, an edict against the Latin schools in 92 BCE by the censors (see chapter 3; also Kennedy 1972: 90–6; Bonner 1977: 65–75; Gruen 1990: 179–91). Suetonius preserves their decree *verbatim* in *De Rhetoribus*. The censors' stated grounds for concern were that the schools encouraged idleness (*ibi homines adulescentulos dies totos desiderare*, "there young men waste whole days"), and that this method of education was *praeter consuetudinem ac morem maiorum* ("not in accordance with custom and the habits of our ancestors," 25.2). But what might have gone on in these schools to provoke such a response is entirely unclear, and as a result critics

have posited a variety of hidden agendas: that the censors were alarmed about the democratization of rhetorical skill, or that the existence of schools undermined the practice of young men learning political skills through shadowing active politicians, or that instruction in Latin was felt to be inimical to Greek rhetorical training, by now well established at Rome (Kaster 1995: 274). However resistant to exact interpretation, the incident does demonstrate the importance of rhetorical education to the Roman governing class and that how to do it correctly was the object of very divergent views. The censors' edict appears, moreover, to have been ineffectual.

The development of writing about rhetoric at Rome bears out its importance to the elite. Quintilian provides a brief survey of the topic in book 3 of his *Institutio Oratoria* (3.1.19–21); the first individual he knows about in this field is the elder Cato. It is not certain that he wrote a work specifically on rhetoric, as he may have handled the subject in his work of advice to his son; but two sayings are regularly quoted (*rem tene verba sequentur*, “grasp the subject; the words will follow,” Iulius Victor 17; Halm 1863: 374; and the definition of the orator as *vir bonus dicendi peritus*, “a good man skilled in speaking,” Sen. *Controv.* 1 *praef.* 9) and were presumably so popular because they established the Roman orator as straightforward, upright, and immune therefore to the moral ambiguities of Greek rhetoric.

Some of the other writers on rhetoric and oratory from the republican period were also members of the senate and active practitioners: Marcus Antonius, consul in 99 BCE (the grandfather of the triumvir), wrote a “little book” on oratory; Hortensius, consul in 69, handled *loci communes* (“commonplaces,” Quint. *Inst.* 2.1.11). Marcus Terentius Varro wrote on rhetoric and Nigidius Figulus, praetor in 58, on gesture (Quint. *Inst.* 11.3.143), though neither of these senators are attested as orators and their interest in the subject should rather be understood in the context of their notably broad intellectual curiosity. Of the teachers of rhetoric, Lucius Plotius Gallus, whom Suetonius identifies as the first to teach rhetoric in Latin at Rome, wrote on gesture; Quintilian refers in his list of writers on rhetoric to Cornificius and Stertinius (3.1.21), whose position indicates that they may have been active in the republican period, but nothing is known of the identity and activities of either, though Cornificius' work was strikingly similar, if not identical, to the fourth book of the *Rhetorica ad Herennium*.

The two surviving republican handbooks, *Rhetorica ad Herennium* and *De Inventione Rhetorica*, are discussed in chapter 13; it might appear that little need be said about their authors, as the identity of the one is unknown and Cicero is the other. But it is important to note that the Cicero who wrote *De Inventione Rhetorica* was very different from the man who wrote the great oratorical treatises of the fifties and forties. He had not yet embarked on a public career; he had not spoken in public; and the very prospect of public life may have seemed deeply uncertain at the time of composition, if it is to be dated to the civil war between Sulla and Marius and the subsequent Cinnan regime. The *De Inventione* is not, therefore, the product of a senior member of the elite but of a bright and ambitious young man from the fringes of the governing classes.

Insofar, then, as statements can be ventured about the rhetorical writing of the late republic, there appear to have been both experiential and theoretical examples. The former type may well also have been found in the various autobiographical works written by politicians: it has been suggested that Rutilius Rufus' memoirs may have

discussed his speech at his own extortion trial, which was restrained in style and manner – and unsuccessful (Rawson 1985: 151). Aemilius Scaurus (consul 115) presumably discussed his extensive forensic activities in the three books he wrote on his own life. But the Roman who wished to study rhetoric may have been as likely to seek out examples of speeches which had been written down as to look for discussions *about* rhetoric and oratory.

Finally, it should be remembered that much of the most sophisticated theorizing on rhetoric from the period – with the exception of Cicero's mature treatises – was being done in Greek. The two surviving Latin handbooks used a system derived from Hermagoras of Temnus, writing in the mid-second century. In the first century Philo of Larissa was scrutinizing the synthesis between philosophy and rhetoric, and Philodemus of Gadara was dealing with rhetoric as part of a wider aesthetic project (Brittain 2001: 296–342; Rawson 1985: 144–6). Yet, with the exception of Cicero, the Romans seem to have resisted any temptation to pursue similar lines of inquiry.

Orators

The early Roman orators are discussed in chapter 5. The period after Gaius Gracchus might seem initially to be rich in orators: Malcovati (1976⁴) considers 128 speakers in this period. But, as discussed above, this broad canvas is a direct consequence of Cicero's inclusive selection criteria in his *Brutus*. And there is a further problem in selecting the major figures for further discussion: a lack of fit between those speakers whose importance is attested in references to oratory and those for whom there is substantial fragmentary evidence. What follows is a consideration of those who are significant either because of their position or because of the survival of a revealing fragment.

A notable feature of Cicero's *Brutus* is his structuring of each generation of speakers around two outstanding figures. In the period after Gaius Gracchus, the two are Lucius Licinius Crassus and Marcus Antonius, who have additional importance in Cicero's writings as the two major interlocutors of *De Oratore*. We would therefore seem to have a great deal of evidence about them as orators from someone who had known and listened to both men; but at the same time it is difficult to be sure how far the characters in *De Oratore* are molded by Cicero to fit the structure of that work. His presentation of them, both in *De Oratore* and in *Brutus*, emphasizes contrasts between the two: Antonius was striking in his force, his capacity for recall, and his delivery, whereas Crassus was notable for his range of moods, elegance of language, fluency of exposition and legal knowledge (*Brut.* 139–49). In *De Oratore* they are initially spokesmen for different conceptions of the orator's task: Crassus argues for an orator's possessing a very broad range of knowledge, and that oratory is an art, whereas Antonius claims that the orator should simply be concerned with everyday occasions for speech. Later in the work he retracts this narrow definition, and in the exposition of oratory he and Crassus are made to share the various parts harmoniously; but it remains likely that Cicero has consciously structured his characterization of both men to generate a debate to start off his work (cf. Fantham 2004: 26–48).

The first attested speech of Marcus Antonius was in 114 or 113, when he was thirty and just elected to the quaestorship: accused of having had sex with a Vestal Virgin he

waived the legal immunity he possessed as a magistrate and defended himself successfully. A little later he prosecuted Gnaeus Carbo on treason charges in relation to the latter's conduct of the war against the Cimbri: it is unclear what the outcome of the trial was (Cic. *Fam.* 9.21.3). Subsequently a number of defense speeches are known, including one in his own defense against charges under the Varian law in the opening months of the Social war in 90. Although nothing can be said about the content of the speeches themselves, a couple of anecdotes do indicate that Antonius was a striking courtroom performer and highly skilled in manipulating his audience's emotions (*De Or.* 2.124–5). In 98 he defended Manius Aquilius on *repetundae* charges: in his peroration he ripped open the front of Aquilius' tunic to show the jurors his scars, honorably acquired in combat. Aquilius was acquitted. In the discussion of this case in *De Oratore* Cicero has Antonius claim that the maneuver was only effective because he himself was overcome by the emotion he was attempting to evoke in the jurors; passion, not art, was what inspired him, and had he not felt this emotion his action would have been ridiculous (2.194). In his self-defense in 90, his physical vehemence was such that his "knee touched the ground" (*genu mehercule M. Antonium vidi . . . terram tangere*, *Tusc.* 2.56; Fantham 2004: 45–6). And his defense of Norbanus in 95 seems to have depended for its success very largely on his emotional appeals to the supremacy of the Roman people and to his own authority which sandwiched a much briefer discussion of the actual charge of *maiestas*.

Lucius Licinius Crassus was a few years younger than Antonius but started his career as an orator much sooner, with a prosecution in 119, when he was twenty-one, of Gaius Papirius Carbo on treason charges. So effective was Crassus' speech that Carbo anticipated the verdict by suicide; and Crassus becomes an example of the Roman who launches his public career by a high profile prosecution (Tac. *Dial.* 34.7). The following year he was invited to address the people in support of a law founding a colony at Narbo in Gaul. This was a notable mark of respect from whichever magistrate convened that *contio* for a man so junior, and a sign that his prosecution of Carbo had succeeded in his aim of making himself known as an orator. This speech took a *popularis* line and criticized the senate's resistance to the proposal in contrast to earlier acts of generosity; but Crassus had moderated into a defender of senatorial rights by 106 BCE when, during his tribunate, he spoke in support of a judicial law returning senators to juries. An impassioned fragment indicates that Crassus emphasized the bonds between senate and people to evoke pity at the senate's sufferings from equestrian juries: *eripite nos ex miseriis, eripite ex faucibus eorum, quorum crudelitas nostro sanguine non potest expleri; nolite sinere nos quoquam servire, nisi vobis universis, quibus et possumus et debemus* ("snatch us from our sufferings; snatch us from the jaws of those whose cruelty cannot be sated by our blood; do not allow us to serve anyone except you, whom we can and ought to serve," Cic. *De Or.* 1.225; the passage's familiarity was not confined to the devoted Cicero; see Morstein-Marx 2004: 235–7).

The impact of these two "contional" speeches was enhanced by Crassus' dissemination of written versions – though it also made him vulnerable to charges of inconsistency; on one occasion his opponent in a forensic case read out contradictory extracts (*De Or.* 2.223). Notes survived also of a speech against his colleague as censor, Gnaeus Domitius Ahenobarbus (*Brut.* 164). In it he responded to Domitius' accusations of excessive luxury, including the cost of his house and his fondness for a

pet eel, whose death he mourned with tears; he also attacked Domitius' character with a pun on his cognomen, saying *non esse mirandum quod aeneam barbam haberet, cui os ferreum, cor plumbeum esset* ("it's no wonder that he has a bronze beard, when his face is iron and his heart lead," Suet. *Ner.* 2.2). What purport to be verbatim quotations are also given from his final speech, in the senate against the consul Philippus, though the mechanism of their recording remains uncertain, given that Crassus died only a few days later; they indicate a handling of pathos reminiscent of the Servilian law speech, as Crassus seems to have described the senate as an orphan, abandoned by parent or guardian, and now open to the depredations of a bandit.

Crassus also took on some forensic cases, civil as well as criminal; Cicero devotes a lengthy discussion in *Brutus* (194–8) to the Curius case, in which Crassus took on Scaevola, the greatest legal expert of the day, and won through a brilliant appeal to the spirit rather than the letter of the law. Crassus did not write down full versions of any of his forensic cases; the anecdotes which survive about them emphasize his wit and skillful handling of witnesses, and do not give the impression that he engaged in the kind of barnstorming emotional appeals characteristic of Antonius.

Oratory seems to have played somewhat different roles, therefore, in the public careers of these two men. Antonius was primarily a forensic orator, using his skills in defense to fulfill obligations and create links with political allies, but only engaging in directly political oratory when personally attacked. Crassus by contrast appears to have sought out opportunities to create links between himself and the people through speech, eventually adapting the tropes of *popularis* oratory to a senatorial standpoint and extending the impact of his oratory through written dissemination. The existence of these written texts is an important factor in assessing the information we have about Crassus. Cicero, our major source, had heard Antonius, but when he came to write of him the memories were over thirty years old. In handling Crassus, however, he had texts to refer to; in *Orator* this even enables him to consider Crassus' use of prose rhythm.

Crassus died in 91; Antonius was murdered in 87. Most of the other orators whom Cicero assembles in *De Oratore* died violently in the struggle between Sulla and Marius. In the post-Sullan period, the leading figure was at first Quintus Hortensius. Even more than in the cases of Crassus and Antonius, the dominance of Cicero among our sources on Hortensius is a major problem. In *Brutus*, Hortensius' role is to be the other great orator of Cicero's generation, but with the further twist that his speaking is there to be transcended by Cicero. That work, indeed, starts with news of Hortensius' death, and during it consideration of Hortensius' speaking is constantly being deferred as more interesting topics of discussion surface (Steel 2003: 208–9). Furthermore, Hortensius' style seems to get caught up in the Atticist–Asianist debate. And although Hortensius did produce written versions of at least some of his speeches virtually nothing survives. Charisius preserves the phrase *cicatricum mearum* ("of my scars") because he is interested in the form of the genitive plural; and Gellius tells an anecdote about the trial of Sulla which purports to record what Hortensius said to one of the prosecutors when the latter called him "Dionysia" (the name of a female dancer) in mockery of his gestures: *Dionysia malo equidem esse quam quod tu, Torquate, ἄμουνος ἀναφρόδιτος ἀπροσδιόνυσος* ("I prefer to be Dionysia than like you, Torquatus – uncultivated, unattractive and inept," NA 1.5.3 – though

the pun cannot be reproduced in translation). The latter indicates a facility in courtroom exchange but neither gives any sense of what underpinned Hortensius' success. Otherwise, we are largely dependant upon Cicero's critical analysis to get a sense of Hortensius as an advocate.

Hortensius was born in 114 and made his oratorical debut in 95; he was active as a speaker until a few days before his death in 50, though according to Cicero he was a better speaker before his consulship (69) than afterwards, and his style of speaking was better suited to a young man. Indeed, in *Brutus* (325–7) Cicero analyzes his faults in terms of Asianism, the very stylistic weakness which he himself had been accused of a few years earlier by Calvus and Brutus (Tac. *Dial.* 18.5–7). Moreover, Cicero identifies two types of Asianism. One of them, *verbis volucre et incitatum* ("swift and stirred-up with words," *Brut.* 325) is high-flown, ornate, and toppling over into excess. The other kind Cicero here describes is a "pointed" style, full of elegant epigrams. Given that Hortensius excelled in both types it is perhaps the case that Cicero is adapting a definition of Asianism to fit Hortensius as well as possible, particularly since this move would, by implication, distance Cicero from the style. At any rate, it seems that the charm of this speaking was not well represented by written texts. Cicero says that Hortensius spoke better than he wrote (*Orat.* 132); Quintilian, with fewer axes to grind, observes that his written works do not justify his reputation (*Inst.* 11.3.8–9) and posits skill in delivery to square the circle. Gellius notes, in the chapter in which the anecdote about the trial of Sulla is told, that Hortensius was often attacked for the care with which he arranged his toga and for his hand gestures, as though he were an actor. Roscius and Aesopus are indeed said to have studied Hortensius' gestures (Val. Max. 8.10.2).

Hortensius was, then, a powerfully attractive orator. He was also, it seems, notable for his lucidity in exposition, and Cicero says he was unique in his explicit listing of the points he was going to make and in recapitulation of his arguments and those of the opposition: a surprising remark, inasmuch as these methods might seem very basic, but evidence that his oratory was unprecedentedly clear (Rawson 1985: 155). When he and Cicero appeared together in defense cases, he invariably spoke earlier and seems to have taken on the bulk of the argumentation, leaving the final space and its emotional climax to Cicero.

It is possible, therefore, to construct a picture of the effects of Hortensius' oratory but the details resist discovery. Similarly, Julius Caesar's talents as an orator, which are paid high tribute by Quintilian (*Inst.* 10.1.114), barely emerge from the fragments, the most substantial of which comes from his funeral speech for his aunt Julia (Suet. *Jul.* 6) in 69 (Flower 1996: 143–5). Cicero's discussion of Caesar in the *Brutus* concentrates on the purity of his language (251–62). Caesar's first speeches come from his prosecution of Dolabella for extortion; a number of defenses are attested from the seventies and sixties; and he made a notable, though unsuccessful, contribution to the senatorial debate on the Catilinarian conspirators. Up to the point of his departure for Gaul in 58, therefore, Caesar had exploited his skills as a speaker in familiar ways to promote his public career; but his absence thereafter from Rome until after the collapse of the republic put an end to his oratorical career, at least in the civilian sphere (a number of addresses to soldiers are recorded).

Marginally more can be said about some of Cicero's younger contemporaries, above all Gaius Licinius Calvus and Marcus Caelius. When Quintilian surveys the

development of Roman oratory, this is the chronological point at which he becomes excited about the range of talent (*Inst.* 10.1.105–22, 12.10.11). Calvus was famed particularly for three speeches against Vatinius, though he was prolific – Tacitus (*Dial.* 21.1) attests to twenty-one rolls, and his public career seems only to have lasted some five years – and he is the only orator whose reputation challenged Cicero’s primacy (*Sen. Controv.* 7.4.6; *Quint. Inst.* 10.1.115). His claims to be an Atticist provoked Cicero into reclaiming Atticism for himself through a much broader definition of the term; but while Cicero describes his style as self-consciously dry and pared down, his delivery was strikingly energetic. It is the subject of an epigram of Catullus (53) and of a nice anecdote in Seneca’s *Controversiae* (7.4.6). The few sentences which are preserved indicate a pithy clarity but one can say little more. A longer fragment survives of Caelius, a protégé of Cicero and later adherent of Caesar, who was killed during his praetorship in 48 as he attempted to organize a revolt. Quintilian quotes a paragraph from his prosecution of Gaius Antonius in 59:

namque ipsum offendunt sopore profligatum, totis praecordiis stertentem ructuosos spiritus geminare, praeclarasque contubernas ab omnibus spondis transversas incubare et reliquas circum iacere passim: quae tamen exanimatae terrore, hostium adventu percepto, excitare Antonium conabantur, nomen inclamabant, frustra e cervicibus tollebant, blandius alia ad aurem invocabat, vehementius etiam nonnulla feriebat; quarum cum omnium vocem tactumque noscicaret, proximae cuiusque collum amplexu petebat: neque dormire excitatus neque vigilare ebrius poterat, sed semisomno sopore inter manus centurionum concubinarumque iactabatur. (Quintilian, *Institutio Oratoria* 4.2.123)

They came across the man himself stretched out in tipsy slumber, snoring with his whole chest, belching repeatedly, and his distinguished tent-mates lying across every couch and the rest lying on the ground. And these ladies, out of their minds with panic at the news of the enemy’s approach, were trying to wake Antonius up, shouting his name, hauling him in vain by the neck, one whispered sweet nothings in his ear, some struck him rather hard; and as he recognized the voice and touch of each of them, he tried embracing the one nearest; he couldn’t sleep once he’d been wakened, nor stay awake as he was drunk, but was tossed about half-awake between the hands of his centurions and his girlfriends.

This is highly effective, with its plausible starting-point, witty elaboration, and vivid language.

One final orator of the republican period should be mentioned, both for the quality of the surviving fragment and to illustrate the vagaries of transmission. Helvius Mancina is mentioned a couple of times in Caesar Strabo’s remarks on wit in *De Oratore*, once as the butt of a joke about his appearance and once making a sarcastic comment about Antonius (2.266, 274; see chapter 16). But we would have no idea of the power of his oratory had Valerius Maximus (6.2.8) not transcribed a passage from his attack on Scribonius Libo in front of the censors in 55; Pompey had apparently – in reference to his age – joked that he had come back from the dead in order to undertake this prosecution. Mancina took up the remark by accepting Pompey’s premise and describing the people he had met in the underworld – all of them distinguished victims executed on Pompey’s orders during the civil wars thirty years earlier (Steel 2001: 146–7).

The Empire

The functions of oratory within the Roman state changed with the change of government organization, but the skill itself remained important for members of the elite in both the law courts and the senate. Tacitus sets up a model of peaceful one-man rule leading inevitably to a decline in oratory in the *Dialogus*, but his melancholy is to be contrasted with Quintilian's optimistic commitment to the importance of the skill as well as the obvious presence, in the younger Pliny's letters, of oratory at the center of his public life (see chapters 9, 23, 24). The problem with the study of the orators of this period is rather that their speeches have not survived. Names can be identified and the contexts of their performances indicated; but it is extremely difficult to ascertain what they said and how they said it.

Rhetoric remained at the center of education, but the scope of its didactic expression extended. Declamation, the delivery of practice speeches on invented themes, had long been used as a teaching tool; Suetonius lists some adults who practiced declamation in the late republic (*Rhet.* 25.3) but it became an acclaimed art-form only in the imperial period, recorded in enormous detail in the elder Seneca's collections of extracts, *suasoriae* and *controversiae* (see chapter 6, and esp. chapter 22).

The dividing line between republic and empire is artificial, and would be even if there were agreement on the date at which to draw it: careers straddled the divide. Gaius Asinius Pollio was only seven years younger than Caelius and Calvus, and made his oratorical debut in 54, when he was twenty-two; but the bulk of his oratory was delivered during Augustus' reign. Two cases in particular struck subsequent writers: *On behalf of the heirs of Urbinia* and *On behalf of Nonius Asprenas*. In the former Asinius defended the claims of Urbinia's named heirs against those of a man who claimed to be her son Figulus, absent from Italy for many years following military service; Asinius' counterclaim was that he was a slave (Quint. *Inst.* 7.2.26). Tacitus mentions the case because it illustrates a trend he identifies for cases in the centumviral court (which was concerned with inheritance) to become worth recording in written form from Augustus' reign onwards because of the absence of other types of case (*Dial.* 38). But it seems also to have been a striking case of disputed identity, with Pollio creating an elaborate scenario of slavery, manumission, and voluntary reenslavement to explain the circumstances. Nonius Asprenas was accused of having poisoned 130 dinner guests; further circumstances are unfortunately unclear (including the mortality rate). The lurid situation and the fact that the speeches on both sides were available may have made it popular; the case also attracted comment because Augustus made it clear that he would not intervene, despite his friendship with Asprenas. Stylistically, Pollio's oratory seems to have been harsh and spare, even archaic in feel (though he was more relaxed in his declamations), and he largely eschewed the use of regular rhythmic clausulae (Tac. *Dial.* 21, 7; Sen. *Ep.* 100.7). He was also hostile to Cicero and in his defense of Lamia, shortly after Cicero's death, spoke confidently but fictitiously of how Cicero had been willing to disown his *Philippics* (Sen. *Suas.* 6.14–15).

Marcus Valerius Messalla Corvinus is the last orator of the republic in Malcovati's classification: born around 64, he gave his first speech, *Against Aufidia*, in 44 or 43.

He was to become a major supporter of Octavian and held important posts in Augustus' reign; he was also a patron of Tibullus and a poet himself (Syme 1986: 200–16). He is regularly placed alongside Pollio as a major oratorical figure of the Augustan period, and is described as an attractive rather than a forceful speaker; but only a few occasions of his speaking are actually recorded and some invectives against Antony from the triumviral period may in fact be from a history rather than a speech. Only one fragment of any length is recorded; it comes from a speech in which he proposed that Augustus take the name *Pater Patriae* ("Father of his Country") in 2 BCE. Its opening, *quod bonum faustumque sit tibi domuique tuae* ("may it be good and auspicious for you and your house," Suet. *Aug.* 58.1), substitutes the formal phrase "Augustus and his household" in place of the expected "senate and Roman people" (Adams 1939: 170) and proceeds to explain that this is now the best way to pray for the state's good fortune; we can see here an example of the swiftly developing art of talking to the emperor.

According to Aper in Tacitus' *Dialogus* (19.1) Cassius Severus' oratory marked a turning point: he was the first to see that audiences could be seduced by novelty, and sought this in epigrammatic brevity and wit. Severus was born around 40 BCE and was exiled during Augustus' reign for slander, dying, still in exile, in the thirties CE. He was regarded by Tacitus and Quintilian as one of the major speakers of this period, and the elder Seneca, who heard him, describes his oratory at some length in the *Controversiae* (3 *praef.* 1–18), ostensibly as an example of someone who declaimed much less well than he spoke. His speech was focused and pointed; he was in complete control of his audience's emotions; and his delivery was impressive and dignified (Winterbottom 1964: 91–2). He concentrated on prosecutions, including that of Nonius Asprenas. The brief quotations which Quintilian preserves (*Inst.* 6.3.78, 8.3.89, 11.1.57) cannot give any sense of his distinctive qualities. But in another respect his career is illustrative of changing political circumstances, since the *maiestas* charge which led to his exile was based on what he had said. For Tacitus, this extension of the treason law to what was said as well as what was done was highly significant, and he brings in the example of Severus under 15 CE, early in Tiberius' reign, as he looks forward to the increasing importance of *maiestas* (*Ann.* 1.72); Cassius' writings were also banned (Suet. *Cal.* 16).

Tacitus' fascination with treason trials and with the operations of the senate in a system of one-man rule makes the *Annales* an important source for oratory in the first century CE, though no confidence can be placed in the actual words he gives (see chapter 32; Syme 1958: 322–39); and his political standpoint may explain his criticisms of Domitius Afer (Tac. *Ann.* 4.52.1, 4.66.1) who prosecuted Claudia Pulchra in 26 CE and Quintilius Varus, her son, the following year: both were relatives of the emperor Tiberius. Tacitus describes him as talented and motivated by money and a desire for advancement. But Quintilian, who studied with Afer, is a great advocate of his skills, describing him as *longe omnium quos mihi cognoscere contigit summum oratorem* ("by far the greatest orator whom I have had the opportunity to know," *Inst.* 12.11.3) and placing him alongside Iulius Africanus as the most outstanding speakers he himself has witnessed. It is clear from Quintilian's citations that Afer had a busy forensic career and did not restrict himself to prosecuting; Quintilian also attests to two books by him on the treatment of witnesses (5.7.7), and to collections of his witticisms (6.3.42), which probably explains why Afer is the

source of so many of the witticisms cited in the section on wit (6.3). The fragments of his defense of Cloatilla, in particular, show an ability to evoke pathos and a nice turn of phrase (8.5.16, 9.2.20, 9.3.66, 9.4.31). Of interest, too, is a single sentence, probably from an address to an emperor: *princeps qui vult omnia scire necesse habet multa ignoscere* (“an emperor who wishes to know everything has to forgive much,” 8.5.3). We can glimpse again here the polished flattery which autocracy promoted in Roman rhetoric. But the most significant episode in Aper’s rhetorical career may well be his encounter with the emperor Gaius which Dio records (59.19): accused of treason, he was prosecuted by the emperor himself who was jealous, according to Dio, of Aper’s rhetorical skill. He eschewed any attempt to defend himself through oratory, pretending instead to be overwhelmed by Gaius’ speech – and was acquitted.

Quintilian quotes the other supreme orator whom he witnessed, Iulius Africanus, only once, using his words to Nero after his mother’s death as an example of a *sententia* which is effective through surprise: *rogant te, Caesar, Galliae tuae ut felicitatem tuam fortiter feras* (“your provinces of Gaul ask you, Caesar, to bear bravely your happiness,” *Inst.* 8.5.15). Among his contemporaries he singles out Galerius Trachalus, Vibius Crispus, and Iulius Secundus. Trachalus was outstanding for his delivery (12.5.5–6); Vibius for the attractiveness of his speech. Trachalus was also supposed to have been Otho’s speech-writer (Tac. *Hist.* 1.90); Vibius’ public career, which ran from Nero to Domitian, was unremittingly successful, so much so that he becomes an *exemplum* of complaisance for Juvenal (4.81–93). The only case involving these men that Quintilian cites is the trial of Spatale, who seems to have been accused of murdering her lover (*Inst.* 8.5.17, 19); Trachalus was the prosecutor, Vibius the defender. No quotations survive from Iulius Secundus and Quintilian notes that his promise was cut short by his death, possibly soon after his appearance as a character in Tacitus’ *Dialogus* (whose date is 73 CE). Eprius Marcellus is not mentioned by Quintilian but is paired with Vibius by Tacitus (*Dial.* 8.3) as the two leading contemporary orators. Once past Quintilian’s period the chief source of evidence for orators and oratorical practice are Pliny’s *Epistulae*, in which his forensic appearances provide recurrent material for reflection; and his *Panegyricus* provides an unparalleled example of senatorial oratory in the imperial period (see chapters 11, 24).

Conclusion

Attempting to flesh out the history of rhetoric at Rome through a consideration of speakers other than Cicero is a task rendered extremely difficult by the loss of their works. There are interesting remains from the second century BCE, and some entertaining fragments of invective from the late republic; from the empire, virtually nothing. There is very little with which to test the critical judgments of writers on rhetoric. What such a survey can show, however, is the extent and importance of rhetoric among the governing class, which bridges the divide between republic and empire. The opportunities for oratory change, but the skill remains at the heart of a civilian public career.

FURTHER READING

Fundamental for this topic are the collections of fragments. For the republican period, these are gathered in Malcovati (1976⁴). The orators of the Augustan period are collected in Balbo (2004); a volume on the Tiberian period is to follow. Meyer (1832) provides a collection from the beginnings down to Symmachus. Kennedy (1972) covers many of the individuals mentioned in this chapter at greater length. Some of the issues arising from dealing with fragments are discussed in Most (1997).

There is an edition of Cicero's *Brutus* by Douglas (1966). Important reference works for late republican oratory are Sumner (1973) and Alexander (1990). Alexander (2002) is a systematic attempt to recreate what Cicero's opponents said in a number of trials. Bibliographies for the elder Seneca (chapter 22), Quintilian (chapter 23), Tacitus (chapter 24), and Suetonius (chapter 21) can be found elsewhere. On Gellius there is Holford-Strevens (2003); a translation by Rolfe (1927) is available in the Loeb series. Valerius Maximus is available in the Teubner edition of Briscoe (1998) and there is a translation in Shackleton Bailey's Loeb (2000); see also Skidmore (1996) and Bloomer (1992).

CHAPTER NINETEEN

Cicero as Rhetorician

James M. May

Were Cicero here present to speak for himself, he would undoubtedly wince at, or perhaps even disavow, the description of him that stands in the title of this chapter, “as rhetorician.” Indeed, in Cicero’s Rome, that title generally denoted a professional teacher of rhetoric, an occupation considered both socially and intellectually inferior by him and his peers. Writing toward the end of his career, the great orator is still at pains to justify to his noble companions the time and efforts he has devoted to writing and tutoring in subjects rhetorical (*Orat.* 140–6). And in his most mature works that concern these matters, he seems never to miss an opportunity to criticize roundly these teachers of rhetoric, whose stock handbooks were characteristically crammed full of trite precepts, mocked by the philosophers, and had little relevance for speakers who were engaged actively in Roman public life (Wisse 2002a: 341, 346–7). Cicero, to be sure, viewed himself primarily as a statesman and as a speaker, not as a rhetorician. And therein lies at least one of the secrets of the effectiveness of his rhetorical writings: they were composed from the point of view of one of the most successful and skillful practitioners of the art of oratory in the history of the world.

In a broader, perhaps more modern sense, however, Cicero might rightly be described as a rhetorician. If rhetoric itself can be defined as the art of verbal persuasion; and if a rhetorician is someone who contemplates persuasion in all of its available means, under any given circumstance, then Cicero would surely seem to fit this description. Obviously rhetoric in this broad sense fascinated him both as a youth and as a mature man, winning his attention and efforts in a major way on manifold occasions. In practical terms, defining and solving rhetorical challenges occupied much of his private and public work as a *patronus* and a senator, activities that suited his temperament, talents, and his own predilections very well. Thus, from this vantage point, Cicero might certainly be described as “a rhetorician in his innermost fiber” (Kennedy 1972: 226).

In any case, it is somewhat ironic, and certainly proved more than a little embarrassing to Cicero in his later years, that his first rhetorical composition, issuing from

the same hand that would write the *De Oratore* nearly forty years later, demonstrated vividly the kind of rhetorical writing that he criticized so harshly in that mature and masterful work. His *De Inventione*, written when he was still a teenager, was conceived as an ambitious project. It aimed to cover all five activities (*officia*) of the orator but he managed to complete only two books (dealing with invention, hence the title) before losing interest or turning his attention to more immediate concerns. The first book of *De Inventione* deals with the activities of the orator, the “issues” (*constitutiones* or *status*) of a speech, and the parts of an oration; book 2 examines the three types of oratory, judicial, deliberative, and (very briefly) epideictic (for further discussion see chapter 11). As a veteran orator and statesman, Cicero, like countless others who have had occasion to look back on their youthful writings, would later distance himself from the treatise, calling it *pueris aut adolescentulis nobis ex commentariolis nostris incohata ac rudia exciderunt* (“the sketchy and unsophisticated work that found its way out of my notebooks when I was a boy, or rather a youth,” *De Or.* 1.5).

Perhaps the most interesting feature of this early work is its so-called “philosophical” preface (*Inv. Rhet.* 1.1–5), in which young Cicero ponders the relationship between *sapientia* and *eloquentia* (wisdom and eloquence, i.e., philosophy and rhetoric). He asks the question whether eloquence has brought more good or harm to human beings and communities, and concludes emphatically that *sapientiam sine eloquentia parum prodesse civitatibus, eloquentiam vero sine sapientia nimium obesse plerumque, prodesse numquam* (“wisdom without eloquence is of little benefit to states, but eloquence without wisdom is generally a great hindrance and never helpful,” *Inv. Rhet.* 1.1). Discussion of this topic betrays the young Cicero’s awareness of, and interest in the historic quarrel between philosophy and rhetoric, but perhaps more importantly foreshadows his insistence in his mature works that his ideal orator be equipped with all the noble arts, necessitating a marriage between wisdom and eloquence, and reconciling the battle between orator (if not rhetorician) and philosopher. Interestingly enough, *De Inventione*, along with its near contemporary treatise by an anonymous author, *Rhetorica ad Herennium* (see chapter 13), exerted considerable influence on those interested in speech-writing and oratory in the Middle Ages and beyond. And the young Cicero’s philosophical reflections in the preface of *De Inventione* became one of the favorite and most quoted passages from all of antiquity up through the Renaissance (Ward 1972).

The theoretical musings on rhetoric entertained by Cicero in *De Inventione* soon turned to the practical realities of an education in the Roman Forum and abroad, which itself would yield to the *vita activa* of a Roman orator and statesman; more than thirty years will pass before Cicero turns his thoughts and his pen to another serious consideration of rhetorical theory in any substantial way. In the intervening years, Cicero not only managed to become the premiere orator in Rome, but also climbed the *cursus honorum*, attaining the consulship, watching his star both rise and fall on circumstances surrounding the Catilinarian coup. After suffering the ignominious fate of exile at the hands of his enemy Clodius, only to be recalled amid glory and the approval of the people, Cicero now felt the pressure exerted by the brokers of power in Rome, Pompey, Crassus, and Caesar. He had, indeed, literally spent a lifetime in the Forum and the senate, and now with his own personal opportunities for service and expression in the state severely curtailed, he turned his gaze inward to

contemplate not only the past and his probable future, but also the subjects that fascinated, and ultimately sustained him and his intellect. At his brother's urging, Cicero took up the request to write "something more polished and mature" on the art of oratory, and the work that resulted is, speaking without exaggeration, wholly unique among those that have come down to us.

Cicero's *De Oratore* (completed in 55 BCE) takes its genesis from a privileged vantage point, namely that of the skilled practitioner, the master orator. And, as its very title implies (i.e., *On the [Ideal] Orator*), it is the orator, in fact, the ideal orator – rather than any set of precepts or hackneyed rules about the art of oratory – who stands ever present at the center of the work, a person in Cicero's eyes ideally educated to serve in the courts and in public life. Following in the tradition of Plato's *Gorgias* and *Phaedrus*, as well as Aristotle's exoteric works, Cicero chooses the dialogue form as the vehicle for his presentation. This choice is a felicitous one, for it enables Cicero to stage the dramatic scene and to employ interlocutors to serve his purposes admirably. The dramatic date of the dialogue is September 91 BCE, as the crisis of the war with the Italian Allies looms on the horizon, a political situation whose tensions resonate not surprisingly with the current circumstances that surround Cicero himself and the Rome of his day. A group of great Roman statesmen and orators, on holiday from the Roman Forum, gather in Crassus' country villa at Tusculum, while most Romans are spending their time in the city, attending the Roman Games. The two chief interlocutors, Lucius Licinius Crassus and Marcus Antonius, were the leading orators of that age and both mentors and models for Cicero as a youth. Others joining them at Crassus' estate include Quintus Mucius Scaevola "Augur," an eminent jurist renowned for his knowledge of the civil law, Quintus Lutatius Catulus, a poet in his own right and one who was quite at home with Greek learning, Julius Caesar Strabo, an orator known for his wit and charm, and two young, very promising orators, Publius Sulpicius Rufus and Gaius Aurelius Cotta, from whom Cicero claims to have heard about the conversation (for details on the interlocutors, see May and Wisse 2001: 13–16; Fantham 2004: 26–48).

As the leading orators of that generation, Cicero's interlocutors continually draw the readers' attention to themselves as practitioners of the art of oratory, not as dispensers of theoretical rules and precepts. Moreover (and perhaps this is the most crucial point in this regard), the natural give-and-take of the dialogue form allows Cicero, through the various and manifold interventions of the speakers in the conversation, to present many views, sometimes greatly conflicting views, about any given topic; in other words, the spirited conversation between leading intellectuals of the day as portrayed in the treatise actually presents to the reader an artistically embellished argument *in utramque partem*, that is, an argument that takes up an issue and debates it from several angles, now this way, now that, in order to arrive as closely as possible to the truth. This method of argumentation, a staple of the New Academy, was particularly amenable to Cicero's own approach and viewpoint, as well as being a crucial element in his conception of the ideal orator.

Perhaps the structure of the first book of the treatise illustrates this technique most vividly (see May and Wisse 2001: 43–8; also Wisse 2002b: 379–81). After an introductory prologue in which Cicero describes his personal situation and his reasons for writing, he then expounds upon the difficulty of oratory and its exacting requirements for the ideal orator (*De Or.* 1.1–23); next the setting and the

characters of the dialogue are introduced (1.24–9). Crassus then dominates the first major section of the book (1.30–95), extolling eloquence and asserting that his orator must possess broad knowledge, including knowledge of philosophy. Scaevola (1.35–40), then Antonius (1.80–95) intervene with varying opinions, basically objecting that Crassus' vision of the ideal orator perhaps goes too far. In the second major portion of the book, Crassus comments extensively (with others joining in) on the natural ability of the orator (1.113–33), on standard rhetorical rules (1.134–46), and on the training of the orator, including writing, imitation, delivery, and memory (1.147–59). Rather than backing away from his requirement of extensive knowledge for the orator, Crassus enunciates it even more vigorously at the end of this portion of the book:

educenda deinde dictio est ex hac domestica exercitatione et umbratili medium in agmen, in pulverem, in clamorem, in castra atque in aciem forensem; subeundus visus hominum et periclitandae vires ingeni, et illa commentatio inclusa in veritatis lucem proferenda est. legendi etiam poetae, cognoscendae historiae, omnium bonarum artium doctores atque scriptores eligendi et pervolutandi et exercitationis causa laudandi, interpretandi, corrigendi, vituperandi refellendi; disputandumque de omni re in contrarias partis et, quicquid erit in quaque re, quod probabile videri possit, eliciendum atque dicendum; perdiscendum ius civile, cognoscendae leges, percipienda omnis antiquitas, senatoria consuetudo, disciplina rei publicae, iura sociorum, foedera, pactiones, causa imperi cognoscenda est; libandus est etiam ex omni genere urbanitatis facetiarum quidam lepos, quo tamquam sale perspergatur omnis oratio. (Cicero, *De Oratore* 1.157–9)

But next our speech-making must be led out from the sheltered training ground of our home right into the fray, into the dust and the din, into the camp and the front line of the Forum. We must confront the gaze of the whole world. The powers of our native ability must be put to the test, and that secluded preparation must be brought out into the light of reality. Also, we must read poetry, acquire a knowledge of history, and select teachers and writers of all the noble arts, read them attentively and, for the sake of practice, praise, expound, correct, criticize, and refute them. We must argue every question on both sides, and on every topic we must elicit as well as express every plausible argument. We must thoroughly learn the civil law, acquire knowledge of the statutes, and get to know the whole of the past. We must acquire knowledge of the conventions of the senate, the organization of the State, the legal standing of our allies, treaties, pacts, and effective foreign policy. And from all types of urbanity we must take bits of witticism and humor that we can sprinkle, like a little salt, throughout all of our speech.

In the third major section of the book (1.160–203), Crassus, urged by Cotta and Scaevola to develop further his picture of the ideal orator, centers on knowledge again, this time on the necessity of knowing the civil law. In the final portion of book 1 (1.204–62), the company turns to Antonius for his thoughts on the subject, and he proceeds to lodge a series of objections to Crassus, first over his definition of the orator (1.209–18), next to his claim of the necessity for philosophy (1.219–33), and finally to his demand for extensive legal knowledge (1.233–55). When the discussion is taken up again on the morning of the following day, we learn, somewhat to our surprise, that Antonius was, to a large degree, playing the role of devil's advocate: his views of the orator are actually much more moderate and less restricted than he had at first indicated (2.40). The perceptive reader will realize that Antonius, by arguing

both sides of the case, was actually following the best practices of the ideal orator (Wisse 2002b: 381)! In fact, the medium of dialogue has allowed Cicero as its author to illustrate vividly and dramatically through the various interventions of his characters the technique of arguing *in utramque partem* throughout the entire book, something that could have never been accomplished had he been writing in the traditional handbook fashion.

Book 2 also marks the beginning of the second day of the conversation. Two new arrivals, Caesar and Catulus, make their appearance at Crassus' villa, informed of the discussion by the elderly Scaevola, who, because of a previous appointment, had to leave after the first day's conversation. As previously agreed, Antonius takes up the discussion and explores (largely judicial) oratory from the point of view of his own personal experience. While Antonius' presentation contains much of what might be called the technical aspects of oratory, he describes them in non-technical terms. Moreover, he is quick to criticize the standard handbook approach, with its "product-centered rules" and emphasis on the parts of a speech as chief organizing principle. Rather, speaking through Antonius and in keeping with his own emphasis on the orator *per se*, Cicero returns to an Aristotelian-inspired system that centers on the speaker and the activities in which he engages while composing and presenting his speech, namely discovering, or thinking out his material (invention), ordering that material (arrangement), placing the ordered material into words (style), memorizing it (memory), and finally delivering it to his audience (delivery). In addition, Cicero also returns to the systematic approach of Aristotle that treats all means of persuasion, namely, rational argumentation (*logos*), persuasion through character (*ethos*), and playing on his audience's emotions (*pathos*), together under the rubric of invention, insisting vigorously that the non-argumentative means of persuasion must be on an equal footing with arguments, and should not be confined to particular parts of the speech (as they were generally treated in other handbooks of the time). Thus, it is only by bringing to bear all the available means of persuasion at any and all opportune occasions in his speech that the orator can win over his audience to his way of thinking. Cicero's embrace of such Aristotelian principles of persuasion is remarkable and unique – in fact, he is our only extant author to make such a choice (May and Wisse 2001: 26–38; Wisse 2002b: 383–8).

After Antonius concludes his remarks on *ethos* and *pathos* (2.178–216), Caesar Strabo speaks about the persuasive aspects of wit and humor (2.216–90), a topic certainly apropos and relevant to the foregoing discussion of gentle and more vehement emotions. It is worthy of note that it is not until all of the means of persuasion have been covered thoroughly that Antonius finally consents to move on to a discussion of arrangement, including relatively brief coverage of the parts of a speech (2.315–32). Another brief section on memory (2.350–60) brings book 2 to a close.

Book 3 presents the conversation that takes place later in the afternoon of the same day. Crassus assumes the lead once again, covering the final two activities of the orator, style and delivery. The treatment of style is based on the notion of virtues or qualities of style, namely correctness, clarity, distinction, and appropriateness. Noteworthy in the early sections of the book (3.19–24) is Crassus' emphatic insistence on the unity of words (*verba*) and content (*res*); indeed, true eloquence is a unity, and to separate words from thoughts is like tearing a body from the soul. In fact, true

distinction (*ornatus*) in speech resides in the content; it is something that comes almost intrinsically, or as a by-product of the subject matter of a speech, rather than an add-on or an embellishment of sorts (cf. 3.104–25). Such a claim, in turn, constitutes one of Cicero's chief arguments for the orator to possess a wide-ranging knowledge – and, in the case of the ideal orator, a knowledge that is comprehensive and all-embracing (3.52–5).

In the extended excursus that follows (3.56–90), Crassus expounds upon the original unity of thought and expression, that is, knowledge and speech, and ascribes to Socrates and his followers the blame for artificially separating wisdom from eloquence, thus beginning the quarrel between the philosophers and the rhetoricians, a quarrel that had persisted, in some shape or form, down to Cicero's time. We noted above Cicero's reference to the quarrel in his earliest work; there, although he laments the split, he offers no solution. In *De Oratore*, on the other hand, Cicero works to effect a reconciliation between the two camps by offering a synthesis of the two positions. While siding with neither entirely, he criticizes both (May and Wisse 2001: 26; Wisse 2002b: 395–7). He acknowledges the orator's need of philosophical knowledge, particularly in dealing with general questions (*theses*) and in playing upon the audience's emotions; and he supports the notion that such general questions fall within the province of the rhetoricians. But he criticizes the rhetoricians and their handbooks for failing to follow through with their assertions and pay adequate attention to these matters (3.107–25). Thus, in typical Ciceronian fashion, in a variation of arguing *in utramque partem*, he borrows from both sides (and criticizes both) so as to forge a new reconciliation not so much between philosophy and rhetoric, but rather between philosophy and oratory, that is, between wisdom and eloquence. He thus reunites the Socratic schism of knowledge and speech in the person of his ideal – or what might be called the philosophical – orator:

nunc sive qui volet, eum philosophum, qui copiam nobis rerum orationisque tradat, per me appellet oratorem licet; sive hunc oratorem, quem ego dico sapientiam iunctam habere eloquentiae, philosophum appellare malet, non impediam; dum modo hoc constet, neque infantiam eius, qui rem norit, sed eam explicare dicendo non queat, neque inscientiam illius, cui res non suppetat, verba non desint, esse laudandam; quorum si alterum sit optandum, malim equidem indisertam prudentiam quam stultitiam loquentem; sin quaerimus quid unum excellat ex omnibus, docto oratori palma danda est; quem si patiuntur eundem esse philosophum, sublata controversia est; sin eos diiungent, hoc erunt inferiores, quod in oratore perfecto inest illorum omnis scientia, in philosophorum autem cognitione non continuo inest eloquentia; quae quamvis contemnatur ab eis, necesse est tamen aliquem cumulum illorum artibus adferre videatur. (Cicero, *De Oratore* 3.142–3)

Now if anyone wants to give the name of orator to the philosopher who imparts to us a full range of subject matter as well as fullness of speech, he may do so as far as I'm concerned. Or if someone prefers to give the title of philosopher to this orator who, as I say, unites wisdom and eloquence, I shall not hinder him. But it should be clear that no praise is due to the dumbness of the person who has mastered the matter but cannot unfold it in speech, nor, conversely, to the ignorance of the one who does not have the subject matter at his command, but has no lack of words. If we must choose between these alternatives, I myself would prefer inarticulate wisdom to babbling stupidity. But if

we ask for the one thing that surpasses all others, the palm must go to the learned orator. If they allow that he is also a philosopher, then the quarrel is over. If, however, they keep the two distinct, they will be inferior in that all their knowledge is present in the perfect orator, while the knowledge of the philosophers does not automatically imply eloquence. And although they scorn it, yet it is inevitably true that eloquence somehow sets a capstone upon their arts.

A long technical discussion of distinction (*ornatus*) follows (3.148–209), covering individual words, the combination of words, and figures of thought and speech. Sections 173–98 represent the first extended discussion in Latin of prose rhythm and periodic structure. Following very brief coverage of the stylistic virtue of appropriateness, Crassus speaks about delivery (3.213–27), then concludes the entire treatise with glowing praise of Hortensius, who, at the dramatic date of the dialogue, had already begun to make his mark in the Forum.

As we have seen, *De Oratore* – in its format, in its focus on the orator and his activities rather than on the rules that govern parts of a speech, in its insistence on a reunification of wisdom and eloquence in a new synthesis that results in a philosophical orator – stands unique in the corpus of writings on subjects rhetorical. It continued to exert important influence on Roman views until late antiquity, but lost currency and was not well known during the Middle Ages. The full text was rediscovered during the Renaissance, and has had a profound influence on subsequent ages, including our own. Indeed, our notion of a “liberally educated person” who has pursued broad and extensive learning stands, in a modern manifestation of the old quarrel between the philosophers and the rhetoricians, juxtaposed to the narrowly educated specialist, trained by rules to do a specific task. It is unlikely that the quarrel will ever be truly or entirely reconciled, as it is just as unlikely that we will ever cease our admiration, or our need for, contemporary versions of Crassus’ ideal orator.

The decade that followed the publication of *De Oratore* proved no less tumultuous, either for the republic or for Cicero; the ravages of civil war took their toll on both. And Cicero’s private life was rocked further by divorce and the tragic death of his daughter Tullia. Once again, he took refuge in philosophy and literature, and found consolation in literary composition. *Brutus* and *Orator* are among the numerous other titles that date from this period. As if political and personal problems were not enough during this time, Cicero also found himself under attack for his preferred style of oratory. Sometime around 60 BCE, perhaps under the leadership of Calvus, a classicizing movement known as Atticism seems to have emerged in Rome (Wisse 1995, 2002a: 364–8; chapter 18). A younger generation of orators, analogous in many ways to the generation of neoteric poets, championed as their stylistic model the oratory of the classical Attic orators. The movement seems to have picked up considerable momentum between the publication of *De Oratore* (perhaps even as a reaction to it) and the writing of *Brutus* in 46. The copious, grand style of Cicero, embodied in Crassus’ portrait of the ideal orator, was rejected as swollen, turgid, even degenerate and “Asian” by the so-called Atticists, who preferred the slender, sleek, and elegant prose of Lysias. Marcus Iunius Brutus, the dedicatee of both *Brutus* and *Orator*, certainly had sympathies with the Atticists, but it is unlikely that he would have actually identified himself with them; and the work named for

him, though in large part written as Cicero's apologia against the Atticists and as a justification of his own style and approach to oratory in the face of their criticism, nevertheless stands on its own as an important work of history and literary criticism (Narducci 2002a).

Brutus, like *De Oratore*, assumes the form of a dialogue, but its setting this time is contemporary, early in 46 BCE, as the interlocutors, Brutus (the dedicatee), Atticus (Cicero's closest friend and confidant), and Cicero himself wait for news about Caesar's war in Africa. The work opens with what amounts to a eulogy of the great orator Hortensius, Cicero's friend and rival, who had died a few years earlier; the character of Hortensius, who will later be described as an Asianist, provides a rather stark contrast to the kind of orator preferred by the Atticists; but he also serves as a symbol of free eloquence in a free state, and the mournful tribute rendered here (*Brut.* 1–9) is emblematic of a deeper and broader lament over the demise of oratory and the republic in general, a lament whose tone colors the work throughout. The figure of Hortensius will recur at several points in the dialogue, most notably at its end in a sort of ring composition. Indeed, he becomes a unifying symbol, both literary and political, for the work as a whole (Kennedy 1972: 247). The circumstances of the dialogue are set out in a relatively brief introduction (*Brut.* 10–24), wherein we learn that Cicero is prepared to offer this history of oratory as thanks and a kind of return offering to Brutus, for a letter (*De Virtute*) that he had previously written to Cicero, and to Atticus, whose chronological universal history (*Liber Annalis*) had inspired Cicero in this direction.

The main body of the treatise then unfolds in an essentially chronological manner, the structure of which is relatively straightforward: Greek oratory (25–52), followed by a much longer and more detailed section on Roman oratory (53–333), the latter being organized generation by generation, starting with the consular orators then moving on to lesser figures. Thus, sections 53–60 are concerned with the earliest Roman oratory; then follows the age of the elder Cato and his contemporaries (61–94), the period of the Gracchi (94–126), the post-Gracchan era (127–228), to arrive finally at the age of Hortensius, Cicero, and his peers (228–333).

The vehicle of the dialogue enables Cicero to vary the presentation and its modes in a way that avoids monotony or mere cataloging. As would be the case in any normal conversation, this discussion among friends digresses from its primary direction on several occasions. As often happens in Cicero's orations, the material contained in so-called digressions is equally, or even more important to the author's purposes than is the discussion of the announced topic. Kennedy (1972: 248–9) underscores the strategic and symmetrical placement of these digressions, all of which add color and variety to the narrative by dealing in some way with the issue of Atticism. The first occurs fairly early in the work (*Brut.* 70–6), immediately after Cicero's suggestion to the Atticists that Cato should be considered the Roman counterpart to Lysias; the early history and development of Roman oratory is likened to the history and development of sculpture, painting, and poetry to illustrate the important assertion that nothing exists in a state of perfection at the moment of its invention (70). The same theme is reprised by Cicero toward the end of the treatise, in the third digression (292–300), a lively intervention by Atticus, who accuses Cicero of having played the Socratic *eiron* in his praise of early Roman oratory and in his comparison of Cato with Lysias.

Cicero places his longest digression almost precisely at the midpoint of the dialogue (183–200). In *De Oratore*, he had argued repeatedly that effective oratory remains constantly in touch with common modes of thought and expression and with the tastes of the community. Here he argues forcefully for a standard of popular effectiveness in judging oratory versus some abstract, esoteric literary standard that the Atticists would impose. Indeed, the orator, Cicero argues, should accomplish three things through his speaking: he should instruct, give pleasure to, and emotionally move his audience (185); even the casual observer, in the time it takes merely to walk by the court, can ascertain if these goals are being realized by the speaker (200). These remarks are, of course, aimed (perhaps not so obliquely) at the Atticists, whose plain, meager style often falls short of having the ability to stir their audience's passions. Cicero insists that he has no problem with the Atticists' desire to emulate the Attic orators; but he does lament the narrowness of their views and choice of models, which, to his mind, overlook the gradations, dissimilarities, force, and variety of the Attic orators. To restrict themselves to exemplars like Lysias and Thucydides to the exclusion of orators such as Demosthenes is their crucial shortcoming:

ne illud quidem intellegunt . . . cum Demosthenes dicturus esset, ut concursus audiendi causa ex tota Graecia fierent. at cum isti Attici dicunt, non modo a corona, quod est ipsum miserabile, sed etiam ab advocatis relinquuntur. quare si anguste et exiliter dicere est Atticorum, sint sane Attici . . . cum ita fiet, ut non omnes qui Attice idem bene, sed ut omnes qui bene idem etiam Attice dicant. (Cicero, *Brutus* 289, 291)

They don't even realize . . . that when Demosthenes was to speak, all of Greece flocked to hear him. But when these Atticists of ours speak, they are abandoned not only by the crowd of bystanders, which is pitiful in itself, but even by the supporters of their own client! So if to speak in a cramped and meager way is Attic, then let them enjoy their title of Atticists. . . . In my opinion, not all who speak in an Attic style speak well, but all who speak well merit the title of "Attic."

Cicero's stated intention had been to avoid commenting on contemporary orators who were still alive. He personally abides by that plan, but as author cleverly puts into the mouths of his interlocutors, Brutus and Atticus, comments about Marcellus and Caesar (248–62), the latter of which contain a justly famous analysis of Caesar's *Commentarii* and historiographical style (262; see Narducci 2002a: 418–19). As the work nears its conclusion, Cicero returns to the figure of Hortensius (301 ff.), the one contemporary orator closest to Cicero's own abilities, yet very much unlike him in education, preparation, and ultimately, in style and effectiveness. A master of both types of Asianism, Hortensius failed to adapt his style to his age and the tastes of his audience, or to maintain through practice the sharpness of his oratory; as a result, his eloquence, like an old painting whose vivid colors fade over time, lost its luster (320). Cicero skillfully interweaves the story of Hortensius with a narrative about his own emergence in the Forum, a kind of autobiography that is one of the most valuable elements of the treatise. In the end, we see the portrait of an orator who is much more versatile than the Atticists, indeed a speaker who approaches, though not entirely in the same terms or to the same degree (Narducci 2002a: 423), the ideal as presented in *De Oratore*.

Just as the convergence of the lives of Hortensius and Cicero marked, in a sense, the launching of Cicero's career in the Forum and the courts and his subsequent

emergence as Rome's premiere orator, so does the separation of Hortensius from his colleague by death signal the twilight of Cicero's career and, what is more, the abandonment of eloquence as an orphan (330) in a state on the brink of collapse. It is left to Cicero, but even more so to Brutus and his generation, to protect eloquence, their ward, shut up at home, and to nurture her reemergence in the state (331–2).

Brutus is a work of great stylistic beauty; it is also a work of both history and literary criticism. But perhaps most of all, as Gowing (2000) persuasively argues, it is a work of memory, designed to memorialize the great oratory of the past and its operation in a free state, as well as to recall for the future both the republic and the free speech that stood as its emblem.

Cicero's *Orator*, also written in 46 BCE and dedicated likewise to Brutus, is the last major critical rhetorical work of his life. Written ostensibly to comply with Brutus' insistent requests, and perhaps even as an antidote to the younger orator's Atticist leanings, the *Orator* represents "a sort of utopian counterpart to the historical account of *Brutus*" (Fantham 1989: 237). Moreover, while the treatise certainly searches for the ideal, it shifts the focus from *De Oratore*'s emphasis on the orator as a civilizing agent to an explanation of eloquence as something almost removed from the social, political, and historical contexts found in his earlier two works (Dugan 2005: 251–2).

While the general plan of the work is readily apparent – dedication and introductory discussion (*Orat.* 1–36), a survey of rhetorical theory (37–139), a discussion of composition (140–236), including a detailed passage on prose rhythm (168–236), followed by a short epilogue (237–8) – perhaps the first thing that strikes the reader of *Orator* is the incredible emphasis given to some topics in comparison to the corresponding scanty or even nonexistent coverage given to others. Such disproportion is most evident in Cicero's handling of the traditional five parts of oratory: the discussion of style occupies more than 70 percent of the work (some 175 of 238 sections), while invention and delivery are given six and seven sections respectively (44–9, 54–60), disposition one (50), and memory only a brief mention (54). Several reasons can be cited for this imbalance. First of all, Cicero claims that Brutus himself has asked for a detailed account of style (52). Related to this point are polemical concerns: part of Cicero's motivation in writing the *Orator* is to answer the critics (chiefly, of course, the Atticists, but perhaps even Brutus himself) of his style. Furthermore, in his earlier *De Oratore*, Cicero had not delved deeply into all aspects of style, particularly the element of prose rhythm. Finally, it must be acknowledged that *Orator* is a work that stresses the written aspect of style to a degree unprecedented in Cicero's critical works. Indeed, as he had indicated at the close of *Brutus*, he and Brutus are to guard eloquence at home, shut off from the advance of unworthy suitors. Here in *Orator*, as Cicero senses the conclusion of his own career at hand, he turns to solidifying his oratorical legacy and justifying his style largely on the basis of the written text; in other words, the performative aspect of oratory, so prevalent in *De Oratore*, is overshadowed in *Orator* by the textual, at a time in Cicero's life when the act of writing was "becoming the defining activity of his existence" (Dugan 2005: 284).

Upon first reading, the flow of *Orator* may strike one as repetitive, digressive, uneven, and even disorganized. As in most of his works, Cicero here relies on a network of thematic resonances that in the final analysis bind the work together. Cicero begins (1–2) by questioning whether it would be more difficult to refuse

Brutus' request, or to comply with it – such a momentous task is it to describe *optima species et quasi figura dicendi* (“the best form and ideal of oratory,” 2). In section 3, Cicero defines his task more closely: this will be a treatise that has oratorical style as its special topic (at Brutus' bidding), and more specifically, the style that Cicero himself deems consummate and perfect. Then, after making the first (4–6) of what will be several comparisons of the rhetorical art with other fields such as poetry, philosophy, and the plastic arts, he mentions the preeminence of Demosthenes among orators (6). The figure of Demosthenes will become a reference point (cf. *Brutus*), the physical embodiment of the ideal orator that Cicero seeks to define. Yet the perfect orator, like all perfection, exists only in the mind (7), and to make this notion clear, Cicero links it with the Platonic theory of *ideai* (7–10). The Latin words used to render the notion of Platonic *ideai* (i.e., *species, forma, figura*; cf. also *finco, forma*) all appear; these recall the reader to the beginning of the prologue (2) and prepare for the many uses of the words that will occur later (cf. e.g., 18, 19, 36, 43, 61, 101, 133).

Platonic theory makes an easy point of transition to the next topic, the necessity of philosophy for eloquence (11–19). Cicero, of course, had voiced this point resoundingly in *De Oratore* a decade earlier, and here, as there, he is quick to point out that such insistence on philosophical foundation is what separates his work from the traditional rhetorical handbooks (cf. *Orat.* 12). Knowledge of the emotions, dialectic, physics, and ethics are all essential prerequisites for a real orator, but the artificial split between disciplines and teachers has prevented anyone from attaining true and perfect eloquence (17). It was precisely this artificial separation that led the great Marcus Antonius to state, in his only published work, that *disertos . . . vidisse multos, eloquentem omnino neminem* (“he had seen many skilled speakers, but none who were eloquent,” 18). Despite this fact, Antonius did have in his mind an ideal of eloquence, the description of which is the goal of the treatise (19–20).

The introduction of Antonius and his statement is significant on several counts. First, of course, Antonius (along with Crassus) represents the pinnacle of eloquence in the generation previous to Cicero, and it is likely that Cicero's readers would have also been familiar with his little book on oratory. Perhaps more important is the link it forges with Cicero's earlier rhetorical work, *De Oratore*, where, in fact, Antonius is portrayed as quoting this remark (1.94). In *Orator* proper, reference to Antonius and/or this statement will occur no fewer than six more times, often in conjunction with other concepts important to Cicero's argument. Sections 20–3 introduce the notion of the grand, middle, and plain styles, and posit Demosthenes as master of all three. Many have mastered one style, but the ideal orator must control all of them.

The reappearance of Antonius (33) calls the discussion back to the task of searching for the ideal orator. These concluding paragraphs of the prologue (33–6) comprise a reiteration of the opening themes of the work: the ideal that Antonius had seen in no one (cf. 18–19), the difficulty of defining the ideal (*forma, optimum*; cf. 1–6), Cicero's great love for Brutus that encourages him to take up the challenge (cf. 1), as well as his conviction that the ideal can, in fact, be conceived in the mind (36). Thus, in the first thirty-six sections of the treatise, Cicero has introduced his most important themes, many of which, already repeated, are beginning to resonate with the reader.

Antonius again makes an appearance in section 69, as the ideal is defined as *is qui in foro causisque civilibus ita dicet, ut probet ut delectet ut flectat* (“one who is able to

speak in the Forum or in the courts so as to prove, to please, and to sway,” 69). Just as the Antonius theme had been used to introduce the topic of the three styles (cf. 18–19), so here it is used to identify the three *officia oratoris*: *docere* (“to instruct or prove”), *delectare* (“to delight or please”), *movere* (“to sway the emotions”). These, in turn, are linked with the three styles – plain, middle, and grand respectively – a link that represents a true Ciceronian innovation (Douglas 1957). A network of connections has begun to unfold, and the next important nexus is made in the following section (70): the foundation of eloquence, as of everything else, is wisdom, and the greatest demand for wisdom in oratory involves deciding what is appropriate (*quid deceat*, Greek *to prepon*).

The mention of the bond between wisdom and eloquence recalls, of course, the context of the first appearance of Marcus Antonius, who claimed he had never seen a truly eloquent speaker, owing to the fact of the artificial split imposed between the teaching of philosophy and rhetoric (18). Here, wisdom’s identification with appropriateness (*decorum*) again serves to introduce one of the chief concepts of the treatise, foreshadowing at the same time the subsequent treatment of *decorum* in sections 123–7, where the “eloquent” speaker is defined as *is . . . qui ad id quodcumque decebit poterit accommodare orationem* (“he who can adapt his speech to fit all conceivable circumstances,” 123). To accomplish that task, the orator will have to use a variety of styles (74).

Section 75 provides a transition from the topic of *prepon* to a discussion of the three styles, the plain (76–90), the middle (91–6), and the grand (97–9). After completing his remarks on the grand style, Cicero boldly asserts – somewhat to our surprise – that he has discovered the eloquent orator whom Antonius never saw: *is est enim eloquens qui et humilia subtiliter et alta graviter et mediocria temperate potest dicere* (“he, in fact, is eloquent who can speak about commonplace matters simply, lofty subjects impressively, and topics ranging in between in a middle style,” 100). Mention of Antonius once again prompts a recollection of all those themes that have become associated with him in his previous several appearances (cf. 18, 19, 33, 69), and Cicero’s reminder (in 101) that we are searching for the Platonic ideal serves only to increase the intensity of the thematic resonances (cf. 2, 9, 10, 18, 19, 36, 43, 61). At the end of this section, Cicero includes almost a verbatim doublet of his definition of the eloquent speaker, which is followed immediately by stylistic examples from his own speeches and mention of Demosthenes (102–5). Antonius would have never considered Cotta, Sulpicius, or Hortensius truly eloquent; they were not suited for every style (106). It goes without saying, of course, that Cicero’s Atticist critics likewise fail to measure up to this standard. This is the last occurrence of Antonius and the theme of his never having seen an eloquent man. Perhaps the next sentence in the text explains why:

ieiunas igitur huius multiplicis et aequabiliter in omnia genera fusae orationis auris civitatis accepimus easque nos primi, quicumque eramus et quantulumcumque dicebamus, ad huius generis audiendi incredibilia studia convertimus. (Cicero, *Orator* 106)

The ears of our community, therefore, we found starving for this varied type of oratory, displayed equally in all styles, and we were the first, however poor we may have been and however little we may have accomplished, to convert them to an amazing zeal for this kind of oratory.

The ideal orator that Antonius had never seen in Rome has been incarnated, insofar as humanly possible, in the person of Cicero, to take its place alongside the incarnate ideal of Greek eloquence, Demosthenes. Examples from the speeches of both masters follow in sections 107–11 to illustrate the point. In a sense, these last several sections comprise a kind of climactic conclusion to the first half of the treatise, culminating in the eloquence of Demosthenes and Cicero.

In reviewing the manifold appearances of this so-called Antonius theme in the first half of the treatise, we see that, far from being bald instances of redundancy on Cicero's part, the repeated references to Antonius' assertion that he had never seen a truly eloquent speaker mark the occurrence of important steps in Cicero's quest to define the ideal orator. Antonius is present in helping to establish the notion of *species eloquentiae* ("the ideal of eloquence," *Orat.* 18); he is there to mark the importance of philosophy in regard to eloquence, to highlight the notion of three styles and the duties of the orator attached to them, as well as to introduce the pivotal concept of *decorum*. With every new appearance, these themes resonate more loudly, forming a network of connections that work on the audience as musical motifs affect the listeners of a symphony, a strategy of composition that Cicero employs frequently and to great effect (Leeman 1975).

Sections 140–8 mark the beginning of the second half of the book, with an introduction which is nothing less than an apology on behalf of himself and his interest in writing so much on the oratorical art. The passage, like so much of *Orator*, is deeply personal. Just as he has had recourse to his own oratory to illustrate his points, here Cicero again draws on his own experience and the vagaries of his own fortune to enlarge upon his reasons for wanting to foster the study of eloquence in others. In earlier passages, he had renounced the role of teacher in favor of that of the critic (cf. e.g., 43, 112, 117); here he embraces it. His kind of instruction is unlike that of the schools; he as a mentor brings advice and encouragement to his students, which actually represents in his mind the transmission of cultural knowledge among his elite peers (Dugan 2005: 260). Moreover, he is about to present to his Roman audience a more detailed account of prose rhythm than had ever been attempted in Latin. He is breaking new ground, and the skills of a teacher are required. The remainder of the treatise will closely examine the arrangement of words, sentence construction, and prose rhythm.

In the analysis of rhythm, its origin (174b–6), cause (177–8), nature (179–203), and use (204–27) are all covered. The discussion culminates in a passage on the utility (*utilitas*) of the rhythmical style, which in essence is a eulogy of the same (227–36). In summary fashion, Cicero likens the orator to a boxer or gladiator in delivering blows with grace and an awareness, once again, of what is fitting (*quid deceat*, 228; cf. 70, 71, 74, 79). He ends the passage by returning to an attack on the Atticists: *hoc modo dicere nemo unquam noluit nemoque potuit quin dixerit; qui autem aliter dixerunt hoc assequi non potuerunt* ("no one was ever unwilling to speak in this way, and no one who could ever refrained; those who have adopted a different style, did so because they could not attain to this," 234). The entire treatise concludes with a brief epilogue (237–8), in which Cicero, in true Academic fashion, concedes that Brutus may have in mind a different ideal, or that his own conception might, in fact, be different on a different occasion; here, as in other cases, his judgment has been formed by adhering to what seemed to him closest to the truth.

Mention of the magnitude of the task, as well as Cicero's desire to meet Brutus' request, recall the very first section of the treatise, and on this note the work ends.

Orator marks an interesting moment – we might almost say a point of culmination – in Cicero's mature exploration of oratory and rhetoric, a shift in emphasis from the oratorical action in the Forum to a written canon of texts (primarily Demosthenes' and his own) that most closely approximate for human beings the Platonic ideal. His own mastery of the three styles (and these linked to the three Aristotelian means of proof) in his oratory (including the written, published version of that oratory) has established Cicero both as a foil to his critics and as the benchmark (*idea*) against which subsequent generations might judge themselves.

Setting aside the youthful *De Inventione*, as well as his two other minor works (*Partitiones Oratoriae* and *Topica*; see Gaines 2002), the so-called Ciceronian rhetorical triad of *De Oratore*, *Brutus*, and *Orator* represents a monumental contribution to literary, oratorical, and – yes – rhetorical theory. These works are written from the point of view of the artistic practitioner – an orator and statesman who had exercised his craft for nearly four decades in the public arena. Hence, traditional precepts, while present and sometimes informative, never overshadow the figure of the orator and his activities – that is, the ideal orator endowed with a strong base of philosophical knowledge, whose style can be modulated to meet the demands for proof (logical, ethical, emotional) required by virtually any audience and circumstance. As he makes abundantly clear in *Orator*, in the Rome up to his time, Cicero himself comes closest to the incarnation of that ideal, and the legacy of his written (i.e., published) speeches provides the finest models for the products of style and persuasion that are to be expected from the ideal orator. Indeed, so great and so influential has this legacy been that, as Kennedy (1994: 158) points out, “it is not an overstatement to say that the history of rhetoric in western Europe from his time to at least the seventeenth century is the history of Ciceronianism.”

FURTHER READING

For a more detailed analysis of Cicero's writings on rhetoric, see the relevant chapters in May (2002) by Corbeill, Wisse, Narducci, and Gaines. Further bibliography on each of the works can be found at the ends of those chapters, as well as in the comprehensive bibliography by Craig in the same volume. The work of Kennedy (1972, 1994) is still essential for the study of Cicero's oratory and rhetoric, as is Sumner's (1973) for the prosopographical and chronological issues in *Brutus*. For those who cannot negotiate the commentary on *De Oratore* in German by Leeman and Pinkster (1981) and Leeman et al. (1985, 1989, 1996), the introduction, bibliography, and ancillary materials in May and Wisse (2001) should be consulted. Fantham's (2004) study offers extensive analysis of several aspects of *De Oratore* and its world. Dugan (2005) includes chapters on *De Oratore*, *Brutus*, and *Orator*. Finally, Kennedy's essay in May (2002) gives a brief but lucid account of Cicero's oratorical and rhetorical legacy.

CHAPTER TWENTY

Cicero as Orator

Christopher P. Craig

Non hominis nomen, sed eloquentiae (“the name not of a person, but of eloquence,” Quint. *Inst.* 10.1.112) – thus Quintilian’s most famous judgment of Cicero. For us, as for his ancient admirers, Cicero stands as the greatest name in Roman oratory. The fifty-eight complete or largely complete speeches that have come down to us, spanning almost four decades (81–43 BCE), exemplify his persuasive powers before the senate (twenty-one speeches), before the people in the Forum (nine speeches, if we here include *Pro C. Rabirio*), and in the law courts (twenty-eight speeches, including *In Vatinius*, a free-standing treatment of an opposing witness). We have fragments of sixteen more (Crawford 1994), and know of another five that were published but do not survive. Besides these seventy-eight, we know of at least eighty-three more that were presumably never published (Crawford 1984). The published speeches that we have offer an enormous variety of circumstances and emphases, everything from the high drama of preserving the Roman state in time of crisis to the righteous task of punishing the guilty to (far more often) the compassionate duty of saving the innocent and the not-so-innocent (cf. Cic. *Off.* 2.51). Representing the successful public utterances of a leading statesman, politician and lawyer of his day, Cicero’s speeches were and are exemplars of the art of persuasion. Their abundance of arguments grounded in facts, character, authority, and emotion, woven together in a dizzying variety of styles, offers an invaluable window on Roman attitudes and values. In doing so, the speeches also offer a compelling self-portrait of Cicero the public man.

This chapter will present an overview of Cicero’s speeches through a brief look at several individual works. We will comment only sparingly upon the development of Cicero’s styles (for which see Albrecht 1973, 2003 with literature; cf. more generally chapter 14), and not at all on the rich but technical topic of Cicero’s prose rhythms (see Berry 1996: 49–54). Some orations will be treated more fully, others noted for specific traits that they embody. But before considering individual speeches, it will be useful to emphasize the first origins and primary purposes of the texts we have.

Cicero's Published Speeches

Soon after delivering a speech, Cicero might decide to circulate it to friends, who could have it copied and circulated to others. The orator could encourage this broader circulation, but would have little control over its extent. "Publication" was no more than the circulation of a speech's text that could be read and copied by others (see esp. Starr 1987). While it is impossible to characterize Cicero's immediate readership in any precise way, his audience would largely be composed of members of the socioeconomic elite, many with enough rhetorical training to have clear expectations and a special appreciation for a published oration. The texts themselves do not seem to derive from verbatim scripts prepared beforehand (with the exception of *Post Reditum in Senatu*). Although Cicero will have written out important parts of a speech before delivering it, he relied largely on an outline (Quint. *Inst.* 10.7.30). His published speeches seem regularly to have been reconstructed from memory after the fact, with ample scope for correction of minor factual inaccuracies and for stylistic polish. Still, modern scholars generally find little reason to doubt that most of the speech texts we have generally represent the content and emphases of the arguments that Cicero presented orally (for literature see Craig 2002a: 515–17). There are obvious exceptions. The second action of the *Verrines* was never delivered orally, nor was the *Second Philippic*. We know from the ancient commentator Asconius, who had access to a record of what Cicero had said in defense of Milo, that that pleading differs substantively from the published speech (Asc. 41.9–42.4, Clark 1907; Cic. *Mil.* 72–91). On the other hand, in *Pro Murena* (57) and in the fragmentary *Pro Vareno* (Crawford 1994: 7–18), Cicero omitted material in the published version, but these omissions were indicated by rubrics in the text (Plin. *Ep.* 1.20.7; see Riggsby 1995). *Pro Fonteio* 20 and perhaps *Pro Caelio* 19 have similar rubrics. The *Catilinarian Orations* of 63 BCE, published as a part of a group of consular orations three years after they were delivered (*Att.* 2.1.3; Cape 2002 with literature), are usually thought to contain accretions and changes to address the political circumstances of 60.

While there was a Roman tradition of publishing orations, Cicero published his speeches much more frequently than did other orators of his generation, and in fact his are the only substantially preserved orations from this period. (The pathetic remains of other Roman republican oratory are collected in Malcovati 1976⁴; see chapter 18.) He says that he circulates his speeches to provide models for the young (*Att.* 2.1.3, 4.2.2, *Q. Fr.* 3.1.11). In fact, Cicero publishes speeches expressing different and even inconsistent views before the senate and the people (see chapter 10), and we can best understand this if he intended his published speeches as educational examples of the orator's handling of different audiences and circumstances. Of course these documents could further serve, within the highly personalized politics of the late republic, as political manifestos. Sent to friends, they may also have been simply a way of conveying what was happening in Rome. But whatever the other motives for publishing his speeches, the constant that runs through these texts is Cicero's own attention to his public persona. From the beginning to the end of Cicero's career, his published speeches demonstrate that he is dutiful, courageous, compassionate, prudent, altogether worthy of a place in public life, and finally in the leadership of the governing elite.

This was an argument that Cicero needed to make. The orator, although born into an affluent family which was very well connected to powerful families in Rome, was from the small town of Arpinum. Such an individual realistically had little or no chance to rise to prominence in Rome. But oratory could provide a way (*Mur.* 24; see chapter 8). Cicero cultivated his gifts to achieve his ambitions. His circulation of selected speeches in written form would insure a wider audience for his self-presentation. Speeches which might cause awkwardness or embarrassment, or which could not be made to conform to that end, he simply did not circulate.

So a reader of the speeches can feel a tension between two especially important perspectives. As exemplar of persuasion, the text invites us to imagine the speech as an oral performance before a specific audience, to assess Cicero's persuasive goals and the challenges that he must overcome to achieve them, and to see our text as a representation of an act of the progressive manipulation of the audience. This is the essence of persuasive process criticism (for literature see Craig 2002a: 517–21). But the depiction of Cicero the persuader is also the self-presentation of Cicero the model public figure. This self-presentation may be seamlessly integrated with the depiction of an oral persuasive act. But it may also weaken or break the illusion of oral performance, leaving the reader to judge it as a literary exercise in self-promotion cast within an oratorical genre.

Cicero's early career was spent in the courts, where he preferred the role of defender. The way in which the defense attorney's role is conceived nicely joins Cicero's exemplifying and self-presentational goals. He is called a *patronus*. While the exact status of this role was under intense negotiation in Cicero's time, the metaphor is that of a great man helping one in need. He does so because *noblesse oblige*, and is prohibited by law, although a law easily circumvented, from receiving any payment for his services. The orator's eloquent practice of this role, and publication of exemplars of his success, can only benefit his public persona.

With the exception of four speeches concerned with civil suits, the anomalous pleading *Pro C. Rabirio*, and his two latest pleadings before Caesar as sole judge, all of Cicero's judicial orations were pled before *quaestiones publicae*, courts with juries composed of the socioeconomic elite who rendered judgment on charges that seemed to affect the welfare of the republic itself. Only in this sense were these courts fundamentally political. There were such courts to try murder, provincial misgovernment, seditious violence, election bribery, treason, and official malfeasance. The defendants in these trials were regularly people in public life, and Cicero's participation in them brought visibility and prestige. Even in a murder case, in which the defendant need not be a public figure, the political dimension could loom large.

Pro Sexto Roscio Amerino

Such was Cicero's first case before a *quaestio publica*, in 80 BCE, pled at the age of twenty-six on behalf of Sextus Roscius of Ameria on a charge of patricide. In this first case to come before the murder court since Sulla's proscriptions had ended, the orator boldly asserts that it was more likely that the victim's other relations, who were behind the prosecution of his client, had themselves killed the elder Roscius (esp. *Rosc. Am.* 35, 83–123). Most strikingly, he asserts that they profited from the victim's

death through their collusion with Chrysogonus, the powerful freedman of Sulla (esp. 6–7, 35, 124–42). This was sensational. Although the defendant seemed to have some powerful allies in Rome, the fact that his defense fell to so inexperienced an advocate underscores the genuine risk that Cicero took in speaking out against a crony of Sulla. From the outset his self-presentation is, properly, that of a courageous young man driven by duty to help a defenseless innocent.

The jury, comprised completely of senators, would feel at once the boldness of the young orator's strategy. Their expectations for how he would proceed, both in argument and in organization, came in large part from a shared training in rhetorical theory (see chapter 13). To take one example from the *argumentatio*, rhetorical theory requires that in a question of fact (Did the defendant do the deed or not?), the prosecutor does everything possible to vilify the defendant's character by adducing all shortcomings, whether directly related to the charge or not (Cic. *Inv. Rhet.* 2.32). So Cicero's dismissal of the best efforts of Erucius, the prosecutor, to assassinate Roscius' character is a tactic that could be keyed to a rhetorical handbook (*Rosc. Am.* 38; cf. 62 on motive).

In this question of fact, where character truly counts, the opponent had gamely painted Roscius as one who resented his father's decision to keep him on a family farm rather than in Rome, and who committed the crime because he was convinced that his father would disinherit him (*Rosc. Am.* 52). Cicero's defense, on the same ground, shows that his client is incapable of patricide by painting him as the embodiment of rustic virtue, a Roman farmer cut from the same cloth as the farmer-soldiers who made Rome great (50; cf. Vasaly 1985). This sort of characterization, demanded by the common education of Cicero and his juries, is a hallmark of his judicial arguments (Riggsby 2004).

Another educated expectation of Cicero's juries that he richly fulfills is the weighing of probability arguments concerning motive, opportunity, circumstances surrounding the deed, and subsequent behavior. Cicero uses the jury's expectations for such arguments virtually to go down a list of topics showing that no effective argument can be made against his client (see esp. *Rosc. Am.* 62–81 with *Inv. Rhet.* 2.16–46). Going further, he applies those same topics to those behind the prosecution in order to show that they are more likely to have committed the murder (*Rosc. Am.* 83–123). Generally, one can see the argumentative and organizational prescriptions of the handbooks played out in Cicero's earliest speeches. This does not mean that one could sit down with *De Inventione* and the facts of the case and produce something close to the speech for Roscius. Instead, rhetorical theory provides a basic set of expectations that the speaker can fulfill, and demand that his opponent fulfill, but that he can also elide or manipulate to persuade his audience.

Yet another hallmark, although one that grows directly from practice rather than from the handbooks, is the "rhetoric of advocacy" (Kennedy 1968; May 1981). This is Cicero's ability to speak on his client's behalf, and virtually with his client's voice, in passages rousing emotion (*Rosc. Am.* 145, 150), but to claim in arguments that might offend the jury that he is speaking out of his own concern, here a concern for the republic, and is not representing his client's views at all (129–42). Cicero's self-presentation as a defense attorney concerned with the welfare of the state argues that he is the sort of person who does credit to the political elite, and this indirectly advances his ambitions in public life. More immediately, it also helps fulfill an

expectation of the Roman jury, who regard the argument from authority, the implicit vouching for the defendant's character by respectable individuals, as an integral part of a proper defense. Even at the age of twenty-six, Cicero fashions himself as a courageous and dutiful Roman, and his client benefits from this self-presentation.

While character depiction and self-presentation are salient features of Ciceronian argument and Roman expectation, emotional appeals are also expected. In the triad of instructing, pleasing, and moving the audience, moving the emotions is what guarantees success (see *De Or.* 2.114–15, 121, 128, 178 ff., *Orat.* 128; see too chapter 19). Here Cicero famously excels (*Brut.* 190, *Orat.* 130). While a detailed consideration of Cicero's styles is beyond our scope, in this context we must note some of his comments on the special fate that awaits a patricide, to be sewn into a leather sack and thrown into a river to drown (*Rosc. Am.* 72; cf. *Orat.* 107):

etenim quid tam est commune quam spiritus vivis, terra mortuis, mare fluctuantibus, litus eiectis? ita vivunt, dum possunt, ut ducere animam de caelo non queant, ita moriuntur ut eorum ossa terra non tangat, ita iactantur fluctibus ut numquam adluantur, ita postremo eiciuntur ut ne ad saxa quidem mortui conquiescant. (Cicero, *Pro Sexto Roscio Amerino* 72)

For what is so common as air to the living, earth to the dead, the sea to the storm-tossed, the shore to those cast upon it. They live, while they can, in such a way that they are not able to draw breath from the sky. They die in such a way that the earth does not touch their bones, they are tossed by the waves in such a way that they are never washed, finally they are thrown out in such a way that not even in death do they rest on the rocks.

Cicero's defense of Sextus Roscius was successful in its arguments, its character depiction, and its emotional appeal. But the energetic, elaborate, and copious style of speaking, evident even in this brief quotation, made excessive demands on his health. Further, if we are to believe Plutarch (*Cic.* 3), his successful opposition to Sulla's pet freedman may have put him in danger. So he took two years to go to the east, where he studied philosophy in Athens, and rhetoric in Asia Minor and Rhodes. Exactly how Cicero's style and delivery changed as a result is debatable (see Albrecht 2003), but his purple passages will not again have the ostentatious combination of symmetry and emotionalism of the speech for Roscius.

The Verrines

After returning to Rome in 78 BCE, attaining entrance to the senate through election to the quaestorship in 76, and serving as quaestor in western Sicily in 75, Cicero became a regular presence in Rome as a *patronus*. Still, it was his first prosecution that was to cement his reputation as the foremost speaker in the *quaestiones publicae*. His prosecution in 70 of Gaius Verres, the extravagantly corrupt governor of Sicily from 73 to 71, was an opportunity to serve his Sicilian clients, cast himself as a voice in the senate for the integrity of senatorial juries, show himself a friend of the equestrian class of businessmen whom Verres had cheated, and depict himself as a champion of Rome's citizens and her empire in the face of the malevolent and rapacious enormities of a singularly wicked Roman provincial governor. Cicero made his Verrine orations

serve all these functions first by triumphing over long odds and then by vigorously molding the public perception of his victory (Vasaly 2002: 87–103).

We have seven speeches in three different genres. The first, the *Divinatio in Caecilium*, is Cicero's plea that he, rather than a Sicilian, be allowed to take the prosecution. It is our only example of a *divinatio*, and shows Cicero explaining and embodying the rhetorical training and persuasive powers in which he surpasses his competitor (Craig 1993a: 47–66). The other two unequal sections of the Verrine corpus correspond to the two separate hearings mandated by the law on provincial misgovernment (*res repetundae*; on which see Riggsby 1999: 120–9). In 70 BCE, for the last time before the jury reforms of that year, a jury composed completely of senators would hear prosecution and defense make their introductory speeches, then hear the witnesses and other evidence presented and rebutted. The law then mandated an adjournment (*ampliatio*), followed by a second hearing, when all of this ground would be replowed before the jury cast their votes.

Verres had powerful friends, including his *patronus*, Hortensius, who was consul-elect when the trial began in August; the other consul-elect, Quintus Metellus, and Metellus' brother, who would be the praetor in charge of the extortion court the following year; and another brother of Metellus, who had succeeded Verres as governor of Sicily and impeded Cicero's collection of evidence. Delay worked for the defense, and the procedure of the court, with two separate hearings, would abet that delay. Avoiding this trap, Cicero made the *First Verrine* a short (fifty-six section) preamble for his immediate introduction of witnesses and evidence. This evidence was overwhelming; Verres retired into exile before the second hearing of the case.

This outcome was glorious for Cicero in the short term, but left him without a venue for the oratorical presentation that could sound the themes noted above and show him as an honest, courageous, selfless, and patriotic leader who harnessed his remarkable eloquence for the public good. Instead, his victory was based more on the evidentiary management of an equestrian businessman than on the qualities of a senatorial leader (so S. Butler 2002: 71–84, esp. 82–4). Cicero would not be cheated. Employing the transparent fiction that Verres had returned for the second hearing, the orator published the speeches he would have given to seal the conviction. The five parts of the second action against Verres, freed from any correspondence to an actual oral performance, serve Cicero's needs at remarkable length. The whole, covering Verres' urban praetorship, his Sicilian governorship, his devastating peculations of the grain supply, his rapacity for works of art including cult images of deities, his failure as a military commander against the pirates, and his savagery toward Roman citizens, sprawls to some 350 pages of a modern text. This massive work shows in its purest form the public self-fashioning that Cicero hoped to achieve by publication of his speeches. The speeches of the *actio secunda* are as engaging as they are self-serving, with the possible exception of the third, on the grain supply, which even Cicero admits is a taxing subject (*Verr.* 2.3.10). While their length was felt burdensome by some even in antiquity (*quis quinque in Verrem libros exspectabit?*, “who will last through five books against Verres?”), Tac. *Dial.* 20.1), they sustain interest by means of remarkably clear organization, variety in tone, well placed appeal to emotion, and a presentation that consistently invites the reader to imagine oral performance (cf. Nisbet 1992). The culminating emotional moment near the end of the fifth

section (*Verr.* 2.5.158–68) is the description of the flogging and crucifixion of one Publius Gavius, despite the fact that Gavius was a Roman citizen:

caedebatur virgis in medio foro Messanae civis Romanus, iudices, cum interea nullus gemitus, nulla vox alia illius miseri inter dolorem crepitumque plagarum audiebatur nisi haec, “civis Romanus sum.” hac se commemoratione civitatis omnia verbera depulsurum cruciatumque a corpore deiecerunt arbitrabatur; is non modo hoc non perfecit, ut virgarum vim deprecaretur, sed cum imploraret saepius usurparetque nomen civitatis, crux, crux, inquam, infelici et aerumnoso, qui numquam istam pestem viderat, comparabatur. (Cicero, *In Verrem* 2.5.162)

In the middle of the Forum at Messina, Judges, a Roman citizen was being cut to pieces with rods, while meanwhile no groan, no other word of that wretched man was heard in the midst of his agony and the sound of the blows except this, “I am a Roman citizen!” With this mention of his citizenship he thought that he would repel all blows and hurl the cross away from his body. He not only did not succeed in escaping the violence of the rods, but when he begged the more and invoked the title of citizenship, a cross, a cross, I say, was prepared for the unlucky and suffering man who had never seen that horror before.

Cicero, already elected aedile for the coming year, made in the *actio secunda* a suitable projection of himself as vindicator of the public interest, the integrity of the senate, the rights of the *equites*, and the well-being not only of Rome’s subjects but of Rome’s citizens. He was now more than the foremost speaker in the Roman courts; he was ready for greater things.

Pro Lege Manilia

Cicero’s ambition for public life, augmented by his carefully chosen legal defense work, the prosecution of Verres, and the selective publication of his speeches, was enough to earn him unanimous election by the centuriate assembly as one of the eight praetors for 66 BCE. During his praetorian year, at the age of forty, he first ventured to mount the rostra in the Roman Forum and to address the Roman people formally in a *contio* (see chapter 7). A *contio* could only be called by a magistrate, who could then produce other speakers at will. Its purpose was persuasive and informational, and did not include any formal decision by the audience. (That said, the audience for a *contio* could be disbanded and instantly reconvened as a voting assembly at need.) Although the audience for a *contio* consisted simply of those who came to the Forum to hear it, and might include hired claqueurs, its responses could be represented as the Will of the Roman People. It was especially important that a man in public life appeal to the audience of a *contio*, or at the very least not excite their hostility in any consistent way. As Morstein-Marx (2004) has recently shown, the rhetoric of the *contio*, with its themes of *libertas*, of the rights and privileges (*commoda*) of the Roman People, and of the authority of the Roman People which the orator strives to revere, leads to an ideological sameness. The *contio* does not pit the claims of the prerogatives of the senatorial oligarchy (*optimates*) against

those of politicians who would ingratiate themselves with the plebs (*populares*). Rather in the *contio* all speakers, certainly Cicero, depict themselves as *populares* and their opponents as less concerned with the freedom, privileges and authority of the *Populus Romanus*. While the audience for a *contio* need not be unsophisticated, it is usually only partially informed. Given that the people are excluded from meetings of the senate and other venues for substantive public policy discussion, the *contio* becomes a mechanism for an audience with limited knowledge of issues to confer favor on those who seem best to represent its interests. It can thus become a contest in which the audience rewards those who project the most believable personae as leaders who have the people's freedom and privileges at heart.

Cicero's first speech before a *contio* does just that. He speaks in support of the *Lex Manilia*, a tribunician law which would give to Gnaeus Pompeius, Rome's greatest general and the darling both of the equestrian class and of the urban plebs, an extraordinary command to pursue the intractable war against Mithridates of Pontus. (For what follows, cf. esp. Steel 2001: 113–56.) Pompey had received an extraordinary command against the pirates the previous year, and had eliminated this obdurate and serious threat within six months. He was already in the east, and poised to take command of a Roman army in disarray, one that had until recently been commanded by the well-born and well-connected Lucullus. The challenge for Cicero, already looking toward an electoral campaign for the consulship, is to support the popular measure of giving this command to Pompey in a way that is most gratifying to the greatest number, that answers or elides the substantive objections of the measure's powerful senatorial opponents, and that causes least annoyance to those opponents. Certain or probable points of contention are that the senate already has in place a mechanism for assigning commands and making commanders accountable, while an extraordinary command gives a commander too much power, leaves no clear mechanism to check that commander's appetites, and invests too heavily in the success of one individual, leaving the state at a loss if he should die or fail. Further, Pompey himself may arouse special concerns. The astonishing youthful successes that had made it so easy to compare him with Alexander the Great did not show a character that would be easily amenable to senatorial control, and his past was subject to different and disturbing interpretations; he would be called *adulescentulus carnifex*, the teenage executioner (Malcovati 1976⁴ 71.1).

The orator makes the answers to these misgivings seem easy by casting his speech as an encomium (cf. *Rhet. Her.* 3.10–15; *Cic. Inv. Rhet.* 2.177–8; see too chapter 11). This genre, while useful in judicial and deliberative speeches (*Rhet. Her.* 3.15), is itself ceremonial and celebratory rather than pointedly argumentative. Under cover of this genre, Cicero can satisfy all these diverse audiences, including a supportive group of equestrians and the less affluent, a suspicious group of distinguished senators, and those of whatever station who may have misgivings about Pompey the individual. His performance is a careful argumentation in its own right (see Steel 2001: 113–56; Classen 1985: 268–303), but is also a masterpiece of Cicero's self-presentation. Following an exceptionally well-demarcated formal structure (Donnelly 1939; reproduced in MacKendrick 1995: 3–6), the orator describes the nature and magnitude of the war that require an extraordinary command (*Leg. Man.* 6–19, 21–6) and the singular knowledge of military affairs, virtue (both moral and practical), prestige,

and luck that combine to make Pompey uniquely qualified to accept that command (27–50). This organization, arguing the indisputable point that the war is important and using the full resources of the genre of encomium to show that Pompey is a qualified general, shift the focus away from substantive constitutional objections. They also allow Cicero, through the sustained *laudatio*, to diminish, without confronting, the concern for giving Pompey so much power. The style is measured and rounded, but lively (cf. *Orat.* 102). To take an example almost at random:

age vero, ceteris in rebus quae sit temperantia considerate. unde illam tantam celeritatem et tam incredibilem cursum inventum putatis? non enim illum eximia vis remigum aut ars inaudita quaedam gubernandi aut venti aliqui novi tam celeriter in ultimas terras pertulerunt, sed eae res quae ceteros remorari solent non retardarunt. non avaritia ab instituto cursu ad praedam aliquam devocavit, non libido ad voluptatem, non amoenitas ad delectationem, non nobilitas urbis ad cognitionem, non denique labor ipse ad quietem. (Cicero, *Pro Lege Manilia* 40)

But come, consider what moderation he [Pompey] has in other matters. From what source do you think is found such remarkable swiftness and such incredible speed of movement? For neither the exceptional strength of rowers nor an unheard-of skill in navigation nor some new winds took him so quickly to the ends of the earth. Rather those things which usually slow others did not delay him. Avarice did not beckon him from his set course toward any loot, nor lust toward sexual enjoyment, nor a pleasant prospect toward delight, nor the fame of any city toward sight-seeing, nor finally labor itself toward rest.

While Cicero is extremely respectful in his handling of Pompey's recent predecessor, the distinguished *nobilis* Lucullus (5, 10, 20–1, 26), Pompey easily wins any implicit comparison. Having made an easy case, the orator then politely but decisively sweeps away the constitutional arguments of Hortensius and Catulus (51–68), largely by misrepresenting them as a clinging to tradition for tradition's sake. Hortensius' authority is counterbalanced by amplifying the success of Pompey's command against the pirates, which Hortensius had opposed (51–6), while Catulus' principal objection is flattened to a mindless concern with tradition (60). The orator answers this burlesqued position by a counterappeal to the way of the ancestors, who adopted extraordinary measures in crises, by pointing out that Catulus himself has in the past endorsed such extraordinary measures concerning Pompey (60–3), and by the counterweight of the authority of other consulars who support the proposal (68). In the tactic which is a hallmark of contional rhetoric, the orator ostentatiously places the will of his opponents in opposition to that of the Roman People (63–4). At the end of the day, Cicero's first contional speech has advanced a popular proposal in a way that represents the orator as assiduous in helping citizens (1, 2), grateful to the Roman people (2) and selflessly devoted to them (69–71), concerned with the Glory of Rome (6, 11–12, 14 and *passim*), attentive to the economic welfare of the equestrian class (4, 14–17), and more broadly to the welfare of all Romans (6, esp. 19). The welfare of the provincials is at once a point of honor (14) and an unproblematic means to these Roman ends (17–19 and *passim*; see Rose 1995). So Cicero harnesses the form and attendant expectations of the epideictic genre ostentatiously to place not only Pompey but the orator who praises him at the service of the Roman People.

Pro Cluentio

In this year of his praetorship, Cicero continued his service as a *patronus* in the courts. One monument of this service is his longest single speech, *Pro Cluentio*. While this lurid tale of familial strife in an Italian town is exceptionally rich, and richly analyzed (e.g., Stroh 1975: 194–227; Classen 1985: 15–119; Kirby 1990), we will focus only upon one salient aspect, that of Cicero’s credibility. Cluentius was brought before the *quaestio publica* for murder cases, charged with trying to poison his stepbrother, the younger Oppianicus. But the orator spends most of the speech defending his client against another charge, that he had eight years previously bribed a jury to convict his stepfather, the elder Oppianicus, whom Cluentius had charged with trying to poison him. The court in which the elder Oppianicus had been convicted, known as the *iudicium Iunianum* from the name of its president, was a byword for the judicial corruption of the old juries consisting solely of senators before the reform of 70 BCE. Whether the prosecution in 66 brought as a formal charge the bribery of the earlier jury has been much debated, perhaps unnecessarily so (see Alexander 2002: 184–5). What is clear is that Cicero spends most of the speech rehabilitating his client from what he styles the prejudiced belief that Cluentius had in fact bought the conviction of his stepfather. This task is all the more challenging since Cicero had himself asserted in both spoken and published speeches that this belief was accurate, and had even defended a client whose conviction might be taken to tell against the elder Oppianicus. Thus the prosecution was able to read aloud in court Cicero’s utterances supporting their version of what had happened eight years before (see *Clu.* 138–42 with *Verr.* 1.29, 38–40, 2.1.157, 2.2.79, *Caecin.* 28–9, *Clu.* 49–55). Cicero’s defense of his inconsistency is remarkable:

sed errat vehementer, si quis in orationibus nostris quas in iudiciis habuimus auctoritates nostras consignatas se habere arbitrat. omnes enim illae causarum ac temporum sunt, non hominum ipsorum aut patronorum. nam si causae ipsae pro se loqui possent, nemo adhiberet oratorem. nunc adhibemur ut ea dicamus non quae auctoritate nostra constituentur sed quae ex re ipsa causaque ducantur. (Cicero, *Pro Cluentio* 139)

But if anyone thinks that he has our own certified opinions in our speeches which we have delivered in the courts, he is seriously mistaken. For all those views are products of the cases and the circumstances, not of the individuals themselves or of the *patroni*. For if cases could speak for themselves, no one would engage a speaker. As it is, we are engaged, in order that we may say not those things which are established by our own judgment, but those things that can be inferred from the matter itself and from the case.

The fact that Cicero would advance such an explanation successfully certainly demonstrates his persuasive skill. But it is a radical departure from the image of the orator as statesman that we have seen developed both in earlier judicial speeches and in his first political speech this same year. Now Cicero is simply a pleader. He has the virtuosity to look his jury in the eye as he pleads, tell them that a pleader’s arguments do not have to represent his own views, and do so without losing the jury’s trust. Quintilian (*Inst.* 2.17.21) reports with no further context Cicero’s remark that he had blinded the jury in this case. Certainly this virtuosity was part of that successful

deception. But for the orator to show himself as a man of convenient convictions, and to publish the speech, a monument of his deceptive behavior, seems at first sight very much at odds with the construction of a successful public self-image. In fact, this seeming contradiction adds another dimension to our understanding of the public perception of the usefulness of the pleader's role. Cicero is not only a praetor and a successful *patronus* in the courts. He is part of a growing cadre who are redefining the role of pleader in a way that conforms with our modern ideas of a defense attorney, and are tying their activity to a notion of serving the law and protecting those in need. As Burnand (2004) has argued, Cicero expects the audience, even the audience of the published speech, to see this pseudo-professional pleader's role, with all its insincerity, as a benefit for the Roman people, and an activity for which they should be grateful. The balance of the two guises of noble and old-fashioned *patronus* or skilled and practiced pleader is one that Cicero must constantly negotiate with his audiences, both listening and reading. But he is confident that both guises will earn their goodwill.

The *Catilinarians*

The combination of Cicero's remarkable speaking ability, his political savvy, and the accidents of an unstable time led him to be elected consul for 63 BCE, at the earliest possible age. Faced with treachery in Rome and the threat of a rebel army in Etruria, he saved the state from the conspiracy of Catiline through the force of his oratory and the vigor of his leadership. In this time of crisis, the various groups of the state rallied together in a *concordia ordinum*, a harmony of the orders. And the senate, which would naturally look askance at an upstart from Arpinum, passed a resolution praising Cicero in the highest terms (*Cat.* 3.14). He would even be hailed as *pater patriae* ("the Father of his Country"; cf. *Juv.* 8.244). So Cicero's consulship, and Catiline, provided the crowning moment of the orator's public life.

The crisis passed, and unity with it. Cicero's action in executing five of the conspirators without trial on December 5 in 63 gave his enemies much leverage, and would lead to his withdrawal into exile in March of 58. The speeches that Cicero chose to publish from his consular year thus have several interrelated functions. They are at once exemplars of persuasion, an advertisement for *concordia ordinum*, a record of events as Cicero wanted them remembered, an effective portrait of the talent and heroism of the orator as the champion of good and savior of Rome, and a response to the withering charge that he had acted despotically and illegally in executing Roman citizens without trial. It was apparently for these ends that Cicero three years later circulated an ensemble of consular speeches (*Att.* 2.1.3; see Cape 2002). Four of these are the *Catilinarian Orations*.

All four orations, the first and fourth to the senate, the second and third in *contiones*, depict the orator as an energetic leader acting heroically, exposing himself to personal and political danger for the good of all: (1) he confronts Catiline; (2) rallies the people and cows any of Catiline's would-be followers; (3) reveals to the people the evidence, already presented to the senate, that convicts five men, including a sitting praetor, as part of the plot; and (4) declares himself ready to take the consequences if these five are executed without trial. Because the speeches were

published as part of an ensemble in 60, this self-portrait has invited scholars to see in the text later accretions that are poorly matched to the circumstances of 63. These include references to the orator's natural mercy (e.g., 1.4), and his insistence both on his own heroic action and on the desire of good men to defend him from the enemies that his acts have made (e.g., 2.14–15, 3.26–9, esp. 4.20–4). Some have even labeled as accretions passages they find excessively dramatic or artificial, a highly risky procedure where Cicero is concerned (see Nisbet 1965: 62–3). Finally, we cannot know whether the speeches were individually published before they appeared in the collection of 60, and the conviction that any given passage is a later accretion is in the eye of the beholder.

Quo usque tandem abutere, Catilina, patientia nostra? quam diu etiam furor iste tuus nos eludet? quem ad finem sese effrenata iactabit audacia? (“How far, finally, will you abuse our patience, Catiline? For how long will your frenzy still elude us? To what limit will your unbridled brazenness flaunt itself?”, 1.1). The *First Catilinarian* is the most famous prose work in classical Latin literature; its vehement opening words have even served as a badge of shared culture between people who have no other language in common. That said, this speech is so famous not because of its oratorical perfection, but because it has served generations as an engaging school text, short (thirty-three sections) and dramatic. Among careful readers, the speech has been described or attacked as an unreal pamphlet (Nisbet 1965), as a speech that does not ask the senate for any specific action (Batstone 1994), and as a failure rescued only by the subsequent positive turn of events (Price 1998). It has further been used to show how Cicero responds in a troubled time to a governmental crisis of legitimacy; in contrasting the good of his side to the evil of his opposition, he offers clear choices by assuming what he is trying to prove (Konstan 1993; cf. Habinek 1998a).

The circumstances of the second speech, a *contio* delivered the day after the first, are significantly different in that Catiline has fled Rome. It also shows how the orator treats a subject differently before senate and people. As in the senate, he is very much the consul in control of the situation (see May 1988: 51–8). But in the *contio*, there is much greater emphasis on diminishing the threat even as Cicero explains it (2.1–2, 5, 22–5 and *passim*), and on urging the competence of the consul and the government to lead through this crisis (esp. 2.26–8).

A religious overtone, already sounded in the perorations of the first two speeches, is even stronger in the third, a *contio* in which Cicero reports the arrest of the conspirators with incriminating evidence on the night of December 2–3 in 63. Here Cicero's description of the bravery and competence of the government, and his deft representation of the documentary evidence (S. Butler 2002: 85–102), go hand in hand with an extended reflection that the new statue of Jupiter being installed on the Capitol, within sight of the assembly, shows the divine will to protect Rome (3.19–22). Not unlike Martin Luther King's “I have a dream” speech delivered before the Lincoln Memorial, Cicero's presentation appropriates the symbolism of the monuments that surround his audience for his persuasive ends (Vasaly 1993, esp. 40–1, 75–87).

The *Fourth Catilinarian*, delivered in the senate on December 5 in the debate over the fate of those arrested, seems most like a pamphlet of 60 BCE in that it does not explicitly demand that the conspirators be executed, holds up the danger that Cicero will face if they are executed, and does so in a way that at once makes the consul responsible for what is really the senate's decision and impels all patriots to protect

him from suffering for his selfless leadership (4.20–4). But even here, at least part of the apparent unreality of the speech may come from incorrect expectations. This is our only oration by a presiding officer in a senatorial debate, and it is not the consul's job to argue emphatically for a position, only to summarize and guide the discussion (Cape 1995).

In sum, these four speeches are Cicero's own monument to what he judged his greatest achievement. Whatever the faults and oddities that one can note in their presentation, whatever the currents of artificiality and later revision that one may suspect, the monument successfully endures.

Pro Murena

In the midst of the *Catilinarians*, between Catiline's departure on November 8 in 63 BCE and the arrest of the conspirators on the night of December 2–3, Cicero again played the advocate in a high-profile political case in the criminal courts. The consuls designate for 62, Lucius Licinius Murena and Decimus Iunius Silanus, had won an election marked by bribery so egregious that the young Marcus Porcius Cato, the Stoic conscience of the senate, had promised to prosecute whoever was elected. He declined to prosecute Silanus, his brother-in-law, but threw his considerable moral weight into a prosecution of Murena. The lead prosecutor, Servius Sulpicius Rufus, was not only a friend of Cicero, but the man whom Cicero had supported against Murena in the consular elections. This was embarrassing. Another potential source of embarrassment was the law under which Murena was indicted for illegal election practices. Cicero himself had carried this law earlier in the year, and so it bore his name, the *lex Tullia*.

The speech for Murena shows a new dispensation in Cicero's work as a *patronus*. He is one of three *patroni* who speak for Murena, along with Hortensius and Crassus. In this case, as regularly, Cicero spoke last since he was especially effective at stirring the emotions (*Brut.* 190, *Orat.* 130). As the last speaker, he might have detailed charges to treat, or might be able to summarize or reinterpret what had gone before as he saw fit. Whatever its relation to the other speeches, Cicero circulated his speech separately and expected it to be understood on its own.

As a consul, Cicero could bring to the role of *patronus* enormous prestige, and his speech for Murena is perhaps the most extreme example of Cicero's use of this consular ethos to vouch for a client (cf. May 1988: 58–69). From the beginning, the orator makes clear that he and Murena are fellow guardians of the state, and he flatly argues that Murena's conviction would leave Rome with only one consul for the coming year, and so would play into Catiline's hands (*Mur.* 78–9). This argument for acquittal based on national security must be decisive. But that does not mean that Cicero completely ignores the criminal charges. Rather he argues that Murena's displays, dinners, and other kindnesses for the voters were all traditional actions done by aristocrats to help their poorer fellow citizens, the *humiliores*. The only way that the *humiliores* can reciprocate is with their political support, and they should not be deprived of this traditional right (68–77). As Riggsby (1999: 21–49) has argued, Cicero's defense presupposes that *ambitus*, corrupt electoral practice, has as its extreme case a *quid pro quo*, most clearly money in return for a vote. The use of this *quid pro quo* will only be necessary for those too poorly connected to exercise the

more traditional aristocratic forms of largesse. That largesse is part of a social economy in which it is impossible to say that a discrete action such as a gift of money triggers a discrete result such as a vote, and that the parties are then quits. Rather it is part of a longer term and less explicitly calculated web of kindnesses and obligations. The question for this jury then becomes, how much did Murena's actions converge on a naked *quid pro quo*? And the orator can raise some doubt here. So, despite his overriding national security argument in this case, he may actually have made an acceptable argument for Murena's innocence as well.

Cicero's treatment of political and personal friends who are prosecuting is the most celebrated aspect of this speech, and one of its greatest practical challenges (see esp. Leeman 1982). When an unsuccessful candidate accused a successful candidate of election bribery, one expected topic seems to have been the *contentio dignitatis* (*Mur.* 14–53), a comparison of the relative prestige, and electability, of the two men. So Cicero must make a case for the prestige of his client against that of the man whose campaign he had supported. With high humor, he lectures Sulpicius on the roads to a *dignitas* suitable for the consulship (24). The military route is best (since Murena had more military experience), followed by oratory. Sulpicius' knowledge of the law is cheerfully lampooned as pettifogging (23–30). The minor prosecutors are dismissed with a rubric in the text (57). As for Cato, he is earnest in his Stoic principles, but has completely misunderstood what his teachers were trying to impart (58–67). Cicero's humorous burlesque of Cato as an ivory tower philosopher is said to have prompted the young Stoic to remark: ὡς γελοῖον, ὃ ἄνδρες, ἔχομεν ὑπατον (“gentlemen, what a funny consul we have,” Plut. *Comp. Dem. et Cic.* 1.5; cf. *Cato Min.* 21.8). Despite that wicked oxymoron, Cicero continued to have good relations with both of Murena's famous and aristocratic prosecutors. The published speech thus stands as an exemplar of political civility as well, and as a showcase for the new man's effectiveness in the social milieu of the governing elite. While it was worth publishing for those reasons, the “funny consul” is dissonant with the heroic image of the *Catilinarians*. That may explain why *Pro Murena* was excluded from the collection of consular speeches that Cicero would circulate in 60 (*Att.* 2.1.3).

Pro Murena, with its special challenges to Cicero's political and personal relationships in defense of a client who is arguably guilty, is an especially apt candidate for persuasive process criticism, which judges the achievement by the magnitude of the challenge. By this standard, as the exemplary analysis of Leeman (1982) demonstrates, the challenges in Cicero's defense of Murena make his client's acquittal, and his continued good relations with the prosecutors, a remarkable achievement indeed.

Pro Sestio

The power of consular ethos and all the respect that Cicero had earned in the year of his consulship proved exquisitely fragile. Within five years, his enemies, most notably Publius Clodius Pulcher, had used his role in the death of the five Catilinarian conspirators on December 5 of 63 BCE to drive him into exile. Although Cicero was reinstated by a law of the centuriate assembly and returned to Rome in September of 57, the supreme prestige which he had earned during his consulship was now crippled. His restoration, encouraged by the same powerful men who had not resisted

his exile – Pompey, Crassus, and Caesar (the so-called first Triumvirate) – was a return to a more subservient, sometimes humiliating, position in Roman public life. Cicero's attempt to reestablish his prestige runs through the so-called *post reditum* speeches, those orations that treat the circumstances of his exile and return. These have in common a set of strategies, well elucidated by Riggsby (2002) that frame the events of his exile and restoration in a way that denies or elides his disgrace (cf. Robinson 1994), puts the best face on his relationship with each of the triumvirs, and claims for him a special heroic status for manfully leaving Rome rather than causing bloodshed and harm to the state. Finally, Cicero equates his forced departure and triumphant return with the fortunes of the state itself (cf. May 1988: 88–127). These themes are perhaps best exemplified in the speech for Sestius. Sestius had been tribune of the plebs in 57, and had worked for Cicero's restoration in the face of the violent opposition of Clodius and others. Sestius, along with another tribune, Cicero's great champion Milo, fought violence with violence, and this led both to carnage in the streets and to each side's attempt to prosecute the other. In 56, Clodius prosecuted Sestius before the standing court for charges of seditious violence.

A charge of seditious violence (*vis*) has two components (see esp. Riggsby 1999: 79–119). There is the question of fact, whether violence was committed, and the question of quality, whether such violence was *contra rem publicam*. Cicero speaking last, after Hortensius (*Sest.* 14), Crassus, and Calvus (*Schol. Bob.* 125.24–6; Stangl 1964), and claiming to speak in a summary way (*Sest.* 5), never treats in any detail the question of fact. Instead, he dwells upon the violence of Clodius and simply asserts that Sestius acted in response (75–81 and *passim*). The key to his pleading is the question of quality: Sestius, in supporting Cicero's recall, was acting *pro re publica*, so could not have been guilty of seditious violence (31; cf. 112):

mihi autem hoc propositum est ostendere, omnia consilia P. Sesti mentemque totius tribunatus hanc fuisse, ut adflictae et perditae rei publicae quantum posset mederetur. ac si in exponendis vulneribus illis de me ipso plura dicere videbor, ignoscitote: nam et illam meam cladem vos et omnes boni maximum esse rei publicae vulnus iudicastis, et P. Sestius est reus non suo, sed meo nomine: qui cum omnem vim sui tribunatus in mea salute consumpserit, necesse est meam causam praeteriti temporis cum huius praesenti defensione esse coniunctam. (Cicero, *Pro Sestio* 31)

Moreover it is my task to demonstrate that all the plans of Publius Sestius and the intention of his tribunate was this, to heal as much as he could an afflicted and ruined republic. But if in setting forth those wounds I seem to say too much concerning myself, pardon me. For you and all good men have judged that my disaster was the greatest wound to the republic, and Publius Sestius, although a defendant, is so in my name, not his own. Since he consumed all the force of his tribunate for my well-being, my cause of times past has necessarily been linked to his present defense.

The demands of arguing a case of *vis* on these fundamentally political grounds allow Cicero to recapitulate in a sprawling narrative the glory of his consulship (8–12), the viciousness of his enemies (36–66 and *passim*), the heroism of his retreat into exile (esp. 36–52), and the yearning of good people of all classes for his return (esp. 67–74, 106–31). While this argument is leisurely (he only comes to Sestius' tribunate in section 72 at about the halfway point of the speech), the entire attempt to

rehabilitate Cicero's ethos, virtually to equate his presence with the welfare of the state, does more than insist on his own prestige. It is entirely relevant to the charge of *vis*. This is true as well of arguments which Cicero explicitly labels as exhortations to the young, such as the orator's famous response to a charge of the nominal prosecutor that Cicero's supporters are merely a tribe of aristocrats, a *natio optimatum* (96). Cicero here defines and discusses *optimates* and *populares*. All who support the senate and desire harmony for the state with prestige for its leaders, *cum dignitate otium* (98), comprise this enormous group. The orator also defines *populares* (96) in order to claim, as in the rhetoric of the *contio*, that his supporters are also the true *populares*, and that the Roman People perceive them as such (cf. Morstein-Marx 2004: esp. 204–40).

The speech may be seen as a political manifesto or as Cicero's strident attempt to rewrite recent history and rehabilitate his reputation. But the orator addresses the charge of *vis* by sounding these themes, and it is worth noting that Sestius was unanimously acquitted (*Q Fr.* 2.4.1).

Pro Milone

Four years later, Cicero would defend Milo in another *vis* trial under very different circumstances, and would leave as a monument his most polished, and in some ways most frustrating, judicial speech. We know the circumstances better than those of any of Cicero's other judicial speeches because of the invaluable commentary written by Asconius in the fifties CE (Asc. 30–42; Clark 1907). The violence of opposing factions so disrupted the elections that the year 52 BCE opened without consuls or other officials except the tribunes. Milo, standing for the consulship, and Clodius, standing for the praetorship, had a chance meeting on the Appian Way. A brawl broke out among their followers. Clodius was wounded and retreated to a nearby inn. Milo ordered Clodius dragged from the inn and killed. The next day, Clodius' supporters used the senate house for his funeral pyre. The senate declared the violent events of this time *contra rem publicam*. Despairing of elections, the senate appointed Pompey sole consul. He restored order and created a special *vis* court with a special procedure that tried Milo, whom he seems to have regarded as a mortal enemy. To preserve order, Pompey surrounded the tribunal with his soldiers. Cicero, ever grateful for Milo's role in his restoration from exile, was the sole *patronus*. With a hostile crowd of Clodians and the presence of soldiers in the Forum, Cicero was upset, and did not give a speech up to his usual standard. The defense failed, and Milo retired into exile.

A record of the speech that Cicero gave that day was somehow made, and this *excepta oratio* (Asc. 42.2; Clark 1907) was noted and quoted until perhaps the fifth century (Quint. *Inst.* 9.2.54; *Schol. Bob.* 112.10–12, 173.8–10; Stangl 1964). But it is not preserved. Instead, we have only the speech for Milo that Cicero circulated. This is remarkable among the extant speeches in three ways: (1) From other sources, especially the commentary of Asconius, we know that our speech describes the killing of Clodius in a way that is baldly, egregiously false, and one that at least some of the initial reading audience must have known was a fabrication. Ignoring the chance meeting of Milo and Clodius, Cicero offers the false choice of who laid an ambush for whom (*Mil.* 23, 31), then argues that Clodius is the more likely criminal. (2) The argument of our speech expands in a radical way upon what Cicero actually said in the

trial. There he declined to argue that Milo should be acquitted because Clodius' death was a benefit to the state (Asc. 41.9–14; Clark 1907). In a *vis* trial in which the senate had already declared the killing *contra rem publicam*, this was only sensible (but see also Riggsby 1999: 105–19, esp. 118–19). In our speech (Cic. *Mil.* 72–91 and *passim*), this argument, admittedly labeled as *extra causam*, is nonetheless central. As we have seen, there is preserved as well a quotation from the delivered speech that does not occur in the speech we have. (3) A final anomaly of this oration is that the ordering as well as the content of its arguments, especially concerning the question of fact, follow more closely than any other Ciceronian speech the prescriptions of the rhetorical handbooks that Cicero's fellow senators, jurors, and readers would have known. It can be used as a companion piece to illustrate the conventional teachings of the “how to” manuals on judicial oratory (see esp. Clark 1895: xlix–lvii; see too chapter 13), and is among the speeches most cited by Quintilian.

Despite its divorce from what Cicero actually said, and despite its explicitly false statements about essential facts of the case, Asconius (42.2–4; Clark 1907) found in *Pro Milone* a masterpiece. Moderns, while similarly impressed with its formal perfection, are burdened by its artificiality (e.g., Nisbet 1965: 69–72; May 1988: 128–40; cf. May 2001). This nicely underscores the extent to which our enjoyment of any Ciceronian speech depends upon our unimpeded ability to imagine its effects in the world that it creates. We know that the *actio secunda in Verrem* was never delivered, and we can comfortably accommodate the transparent fiction that Cicero is speaking to his jury. But the fiction that the facts of a case are different from those known to an actual jury in a real pleading is very different. Of course Cicero can be eloquent if he can choose his own facts; this is no great challenge, and yields no great achievement.

That said, it is worth remarking that, soon after Milo's conviction, his henchman Saufeius, who had actually stormed the inn and supervised the removal and killing of Clodius, was also tried for *vis*, and acquitted (Asc. 54.22–55.10; Clark 1907). If Milo could be convicted and Saufeius acquitted on the same facts, then the facts were not of primary importance to Saufeius' jury, and perhaps not to Milo's. Such a milieu is unlike that of the speech for Cluentius, where Cicero could claim a *patronus*' license to take the most useful position regardless of his personal feelings. Here Cicero the writer puts his oratorical gifts in the service of a political position in the modern sense. With all the partisan disdain for veracity that we associate with political campaigning, he disregards known facts, and facts in evidence, to fabricate a narrative that supports his own truth. The resulting speech makes a strong show not only of Milo's innocence, patriotism, and courage, but of Cicero's supreme gratitude toward Milo and his eloquence in a noble cause. It also clearly, if implicitly, censures Pompey for his groundless fear of Milo and his partisan abuse of power (Stone 1980). And this political message is given greater traction by a form that renders the whole an exemplar for students of persuasion who are willing to suspend disbelief.

Pro Marcello

There is now a gap of six years in the corpus of published speeches. These years embrace most of the civil war, with Cicero's vacillation, final siding with Pompey, and restoration by the victorious Caesar, who would now control the affairs of Rome.

Caesar showed remarkable respect for Cicero; in 46 the orator had been allowed to return to Rome and could be seen again in the senate. But Cicero kept a studied silence in the face of Caesar's domination. He broke that silence in September of 46, after Caesar left it to the senate to decide whether Marcus Marcellus (consul 51), a vocal anti-Caesarian, should be allowed to return from exile. Cicero's speech of thanksgiving before Caesar in the senate, represented by our text *Pro Marcello*, is the first of the three so-called Caesarian orations, *Pro Marcello*, *Pro Ligario*, and *Pro Rege Deiotaro*, addressed to Caesar in 46 and 45. These speeches are unique in that they show Rome's greatest orator speaking before Rome's most successful man of action, a man who is himself highly cultured and practiced in the art of oratory. Of these so-called Caesarian orations, *Pro Marcello* differs from the other two in that it is in no way a judicial speech, and in the sustained enthusiasm with which Cicero praises (or flatters) Rome's new master. To take one example, Caesar had apparently said that he had lived long enough for nature or for glory (25). Cicero remonstrates that Caesar has not yet lived long enough for the fatherland, which still depends upon him:

"parumne" inquires "magna relinquemus?" immo vero, aliis quamvis multis satis, tibi uni parum. quidquid est enim quamvis amplum sit id est parum tum cum est aliquid amplius. quodsi rerum tuarum immortalium, C. Caesar, hic exitus futurus fuit, ut devictis adversariis rem publicam in eo statu relinqueres in quo nunc est, vide, quaeso, ne tua divina virtus admirationis plus sit habitura quam gloriae, si quidem gloria est inlustris ac pervagata magnorum vel in suos [civis] vel in patriam vel in omne genus hominum fama meritorum. haec igitur tibi reliqua pars est; hic restat actus; in hoc elaborandum est, ut rem publicam constituas, eaque tu in primis summa tranquillitate et otio perfruarer. tum, te si voles, cum et patriae quod debes solveris, et naturam ipsam expleveris satietate vivendi, satis diu vixisse dicito. (Cicero, *Pro Marcello* 26–7)

You say, "Will I leave a legacy that falls short of greatness?" Not at all. What you have done is enough for however many other men you please. For you alone it is too little. For however ample it may be, it is too little when there is still something more. For if this was going to be the end of your immortal deeds, Gaius Caesar, that having conquered your enemies you left the republic in the condition in which it is now, take care, I ask, that your divine courage will not hold more astonishment than glory, if indeed glory is the illustrious report of great and worthy deeds reaching to your fellow citizens or to your fatherland or to every race of humankind. This part then is left for you. This act remains. In this you must labor on, that you may reestablish the republic, and that you first of all may enjoy it in the greatest serenity and peace. Then, if you like, when you have paid what you owe to the fatherland, and you have satisfied nature itself with a satiety of living, say that you have lived long enough.

One may dismiss this advice offered to Caesar as the grossest toadying. Gotoff (1993a: xxxii) notes that Wolf and Orelli in the nineteenth century both wanted to deny that Cicero could even have written *Pro Marcello*. But the oration is neither as debased nor as monochromatic as it may at first appear. The reading of this speech, as of the other Caesarian speeches, must depend upon one's understanding of Cicero, of Caesar, and of the psychological dynamic between these two very different and extraordinarily talented men (Gotoff 1993a). Since Cicero's letters are most plentiful in the forties, it is possible to extrapolate from his correspondence a shift in attitude as

it becomes increasingly clear that Caesar is a despot who will leave no room for the old dispensation. If the published speech bears only a loose resemblance to what Cicero said, and dates in its published form to a time several months later, when Cicero's hopes had been extinguished, one may read *Pro Marcello* as a supreme act of doublespeak. The orator's extravagant praise of Rome's master, flying as it does in the face of the liberty and dignity proper both to Cicero and to his senatorial audience, becomes a veiled invitation to the senate to commit tyrannicide (Dyer 1990 with literature). On the other hand, if one sees the speech as a fair record of what Cicero had said, published soon afterward, and consonant in tone with the orator's other writings of that time, then we see a more sincere Cicero. But this Cicero is not a toady. Rather he is working within the genre of the encomium which both he and Caesar understand well. Within that form, this Cicero attempts to forge a new rhetoric of political engagement with the victor in a world where the return of the republic in some form may still be hoped (Winterbottom 2002; *contra* Dyer). Thus this oration, like the other *Caesarianae*, underscores in the most extreme way the leaps of faith in historical understanding that undergird any interpretation of Ciceronian oratory.

Philippics 2

The killing of Caesar on the Ides of March in 44 BCE rekindled the hope of Cicero and many others that the republic could somehow be restored. The orator proved incorrect, and his vigorous attempts to galvanize the state, and Caesar's heir Octavian, against Caesar's lieutenant and potential successor Mark Antony would cost Cicero his life. On December 7 of 43, when Octavian and Antony were reconciled (for the moment) and controlled Rome, Cicero was killed by Antony's agents. The head that had spoken against Antony and the hands that had written against him were displayed on the rostra in the Roman Forum.

Despite the final outcome, Cicero's fourteen extant orations against Antony (perhaps three more are lost) may be felt to represent his finest hour. Cicero himself christened them "Philippics," a reference to the tirades of Demosthenes against Philip of Macedon three hundred years before. Cicero's *Philippics*, all delivered in the senate except for *Philippics* 4 and 6, spoken in *contiones*, reflect an uncompromising courage and authority that is completely free from the fawning deference of the Caesarian orations or from the strident self-justification of the *post reditum* speeches. As in the orations against Catiline, Cicero invokes a rhetoric of crisis, in which good is pitted against evil with no room for compromise (cf. Wooten 1983; Hall 2002: 283–7). Even his style has changed. Sentences are shorter, periodic structures less frequent, and main ideas are not kept in suspense until a sentence ends (Johnson 1971; cf. Hall 2002: 298–302).

Far the longest of these orations, the *Second Philippic*, purports to be a speech in the senate answering a verbal attack by Antony on September 19 of 44 BCE. Famously, this *divina Philippica* (Juv. 10.125) was never delivered. Cicero declined to attend the senate on September 19 and probably did not allow the *Second Philippic* to be widely circulated before Antony left for Gaul at the end of November. Like the *actio secunda in Verrem*, it sustains the fiction of an imaginary oral performance, and declines to

refer to events after September 19 even when they could make the argument more effective (Ramsey 2003: 157–8).

The speech we have, echoing the structure of Demosthenes' *On the Crown*, is a canonical masterpiece of invective (see chapter 12; Corbeill 2002b with literature; Ramsey 2003: 159–61). But this is invective with a clear deliberative purpose. Using against Antony fully fifteen of seventeen standard invective *loci* (Craig 2004: 189–92), and rendering him a laughingstock (cf. Hall 2002: 288–90), Cicero makes the strongest possible argument that Antony is not only a bad man, but a bad Caesarian. He is a public figure that no one of any persuasion will want to support (Craig 1993a: 151–5).

Invective can be wearing on the modern ear, and one may tire of hearing of Antony's scandalous youth before Curio made an honest woman of him (*Phil.* 2.44), of the greed that even Caesar would not stomach (2.71–4 and *passim*), of the drunkenness that caused him to vomit at inopportune times (2.63, 75), of his mind-numbing stupidity (2.8–9, 18, 19, 20, 25, 28 and *passim*), and so on. Our final impression, however, is not one of meanness, for in the peroration Cicero asserts his role as patriot and senior statesman in a way that proves prophetic:

defendi rem publicam adulescens, non deseram senex: contempsi Catilinae gladios, non pertimescam tuos. quin etiam corpus libenter obtulerim, si repraesentari morte mea libertas civitatis potest, ut aliquando dolor populi Romani pariat quod iam diu parturit! etenim si abhinc annos prope viginti hoc ipso in templo negavi posse mortem immaturam esse consulari, quanto verius nunc negabo seni! (Cicero, *Orationes Philippicae* 2.118–19)

I defended the republic as a young man; I will not desert it as an old one. I despised the swords of Catiline; I will not fear yours. Indeed I would gladly offer my body, if by my death the liberty of the state can be immediately recovered, so that finally the suffering of the Roman People may bring to birth what it has long since labored to produce. For if twenty years ago in this very temple I said that death could not be too early for a consular, how much more truly will I now say, for an old man!

The *Philippics* finally show us the man who has taken his rightful place in the governing elite by dint of his patriotism, courage, and the oratorical talent that allows him to manifest these values to sway Roman minds.

Through his oratory and his life, Cicero created and thoroughly inhabited the image of a proper public man, putting his talent and his learning at the service of his fellow citizens and of the republic. His speeches, more than any of his other writings, ensure that his is a martyr's death, and that his career has enduring memorials. They further ensure that he will become exalted, and reduced, to a synonym for eloquence (see Kennedy 2002; Kaster 1998).

FURTHER READING

For additional (and more detailed) analyses of Cicero's speeches, see chapters 3–10 of May (2002). Suggestions for further reading can be found in those chapter bibliographies and in the book's final bibliographical essay and accompanying bibliography. Recent books not discussed

there and deserving special attention (most with programmatic titles) include Alexander (2002). Grouping cases by charge, he gives background and discussion of *Pro Fonteio*, *Pro Flacco*, *Pro Scauro*, *Pro Rabirio Postumo* (*repetundarum*), *Pro Murena*, *Pro Plancio* (*ambitus*), *Pro Roscio Amerino*, *Pro Cluentio* (murder), *Pro Sulla*, *Pro Sestio*, and *Pro Caelio* (*vis*). Butler (2002) is concerned with the uses and perception of writing in Roman culture of this period, and is especially good on the *Verrines*, the *Third Catilinarian*, and the *Philippics*. Albrecht (2003) is a masterful overview. Ramsey (2003) is concise and useful. Morstein-Marx (2004) gives the best available treatment of the structure, process, nature, and sociopolitical dynamic of the *contio*, with Cicero's *contiones* being the principal source. Powell and Paterson (2004) combines a strong general introduction with thematic chapters on the judicial speeches, discussions of broader issues such as legal procedure and the rhetoric of character, and case studies of individual orations or parts of orations, including *Verrines* 2.1, *Pro Caecina*, *Pro Cluentio*, *Pro Archia*, *De Domo Sua*, and *Pro Ligario*.

CHAPTER TWENTY-ONE

Grammarians and Rhetoricians

Charles McNelis

In 92 BCE, the censors Gnaeus Domitius Ahenobarbus and Lucius Licinius Crassus issued a decree stating that they were unhappy about the teaching of Latin rhetoric (Suet. *Rhet.* 25.2). Unlike the banishment of rhetors from Rome in 161 BCE (25.2), however, this decree had no legal force (Kaster 1995: 374; see chapter 3 in this volume), but it did indicate the dissatisfaction of Roman leaders with educational practices. Attitudes changed greatly over the next 150 years or so, culminating with the emperor Vespasian's institution of a state-appointed position for teaching Latin rhetoric (Suet. *Vesp.* 18). This remarkable shift in cultural attitudes toward rhetoric took place gradually (*Rhet.* 25.3), and presumably for a variety of reasons. Ahenobarbus and Crassus may have thought that training in Latin rhetoric would undermine the traditional Roman apprenticeship – *tirocinium fori* – in which young men learned from elder statesmen the art of politics and public speaking (Kaster 1995: 274). But the *mos maiorum* was always subject to change, and in this case, the teaching of Latin rhetoric became customary. In fact, Suetonius reports that rhetoric was eventually thought to be *utilis honestaque* (“useful and honorable,” *Rhet.* 25.3), and that some studied it *praesidii causa et gloriae* (“for protection and glory,” 25.3).

Suetonius' *De Grammaticis et Rhetoribus*, which is a virtual catalogue of men who gained renown by teaching grammar and rhetoric publicly to those hoping for oratorical competence, is an outstanding witness to this cultural change. While these “biographies” of famous teachers are not on the same scale as his biographies of the emperors, the treatise illuminates or hints at some of the processes that caused the transformation of Roman attitudes toward both the education of those interested in public speaking and toward those who taught that skill. Part of the picture emerges from Suetonius' description of the origins of these grammarians and rhetors, part from his account of the manner in which some of these men lived. It is clear that these teachers did not have uniform social standing. Although rhetors typically fared better than grammarians and came from a higher social background, there was

tremendous variation within the professions, and while some did quite well for themselves, others seem to have struggled and ended up impoverished. A natural question, then, is why these potentially marginal figures gained such a cardinal position in Roman society.

This chapter considers first Suetonius' treatment of grammarians, then turns to his account of rhetors. Suetonius' picture is only partial since it discusses teachers he thought were famous for the public teaching of Latin rhetorical skills at Rome. But we know that there were many other grammarians and rhetors working at this time in Rome who taught Greek, and from these figures I augment the account offered by Suetonius. Another limitation of Suetonius' treatise is that it is concerned with Rome, and much of the best evidence we have for the social status of teachers comes from Greco-Roman Egypt. Though caution is necessary when dealing with regions as disparate as Rome and Egypt, the uniform practices and methods of ancient education in the Greco-Roman world suggests that there is benefit in looking at a broad geographic and chronological range (Morgan 1998: 3, 37, 66–7). Indeed, given that a number of scholars migrated from Alexandria to Rome after the battle of Actium and thus allowed Rome to supplant Alexandria as the center of ancient scholarship and education (Fraser 1972: 810), it makes good sense to look at how Egyptian papyri can sharpen – and blur – the place of grammarians and rhetors in Roman society (Turner 1975).

Teachers are not the only social group discussed by Suetonius. Students and interested parties of these teachers are consistently mentioned, and many of these people belong to the highest level of Roman society. Suetonius mentions, for instance, Pompey, Cicero, Caesar, Maecenas, Augustus, Tiberius, and Claudius. The close connection between teachers and the Roman elite is corroborated by other evidence, and, taken together, these sources provide a variety of insights on Roman power and authority. The social implications of education are the focus of the final third of this essay. By addressing this interrelation among social classes, it is possible to explain some of the reasons for the change in attitude toward grammar and rhetoric from the time of the censors of 92 BCE to Vespasian.

Grammarians

The grammarian was responsible for the second stage of education, after the student – usually a child of seven or eight years of age – had learned his or her letters. Writing around 100 BCE, Dionysius Thrax defined the field of grammar as an “acquired expertise of the general usage of poets and prose writers” (γραμματική ἐστὶν ἐμπειρία τῶν παρὰ ποιηταῖς τε καὶ συγγραφεύσιν, 1.1.5). He then goes on to list what he thinks are its six parts: accurate reading aloud; explanation of literary devices; comments on subject matter; on etymologies; working out analogical regularities; and finally the critical study of literature, which he defines as the finest part of the endeavor (1.1.5–6). Dionysius' definition was quickly translated into Latin by Varro (*Gramm. Rom. Frag.* 234; Funaioli 1907), and thence remained a pervasive part of the study of grammar, though it was often varied. Nearly 200 years later, for instance, Quintilian defined grammar as the knowledge of proper speaking and the explication of the poets (*Inst.* 1.4.2), thus ignoring four but retaining two of the components

mentioned by Dionysius. Speaking generally, then, the grammarian taught the ancient poets with an eye toward proper speech.

A number of the grammarians discussed by Suetonius appear to have done well for themselves. Sevius Nicanor acquired *famam dignationemque* ("fame and recognition," *Gram.* 5.1), and Staberius Eros was reputed to have had *honestas* ("outstanding character," 13.2). However, both of these claims are qualified. The reputation of the latter stemmed specifically from his refusal to charge fees to sons of the proscribed, and this practice was so unusual among grammarians that it merited comment. Indeed, Kaster has noted that there is only one other attestation of a grammarian waiving a fee, despite the fact that it was honorable to do so (Kaster 1995: 169). Nicanor's fame must also be understood relatively: for someone of his position he acquired good repute (Kaster 1995: 108). Despite these qualifications about the position of Nicanor and Eros, there clearly were grammarians who earned honors: Suetonius reports that statues were set up at Beneventum and Praeneste in honor of Lucius Orbilius Pupillus (*Gram.* 9.6) and Marcus Verrius Flaccus (*Gram.* 17.3) respectively. Statues of the grammarians Mettius Epaphroditus and Spedioleius Cerialis have been found in Rome itself (*CIL* 6.9454, 9455; see Christes 1979: 160). In addition to honorific statues, grammarians received ephemeral benefits. For instance, grammarians and rhetoricians were exempt from local taxes at Rome (Suet. *Iul.* 42.1, *Aug.* 42.3; Riccobono, *FIRA* 1.77), a practice that recalls (deliberately?) the exemption from salt taxes that was enjoyed at Alexandria by victors in public games, teachers, and the priests of Dionysos (Cribiore 1996: 21 discusses the tax exemption at Alexandria).

Some grammarians likely gained prominence when they became linked to leading families at Rome. Marcus Antonius Gniphos became attached to the house of the young Iulius Caesar (Suet. *Gram.* 7.2), Lucius Ateius Philologus was friendly with Sallust and Asinius Pollio (10.6), and Gaius Iulius Hyginus was put in charge of the Palatine library that was built by Augustus (20.2). And there were others, particularly those working on Greek, whom Suetonius does not mention: it is said that Philoxenus was encouraged by Caesar to write on meter (*Suda* s 643); the younger Tyrannio likely tutored Cicero's nephew, and perhaps his son (Cic. *Q. Fr.* 2.4.2; see Rawson 1985: 69). Fame elsewhere attracted attention at Rome. Apollonides of Nicaea dedicated a work to Tiberius, and he knew eastern potentates as well (Diog. Laert. 9.109; see also Hillscher 1892: 387–8). Chaeremon, the head of the Museum in Alexandria and a member of an embassy to Rome in 41 CE, tutored Nero (*Suda* a 1128). Statius' father, a grammarian working in Naples, seems to have attracted the attention of Vespasian, who brought him to Rome to tutor his sons (Hardie 1983: 11). Grammarians could thus move in the highest levels of Roman society.

Such contact with Rome's elite, however, was not always straightforward or positive. A number of prominent teachers came to Rome as war booty. The elder Tyrannio, who purportedly studied with Dionysius Thrax, was taken captive during the Mithridatic wars, and after immediately being manumitted by Lucullus' legate Murena (Plut. *Luc.* 19.7) settled in Rome. Cornelius Alexander, often called Polyhistor, was also captured in the war against Mithridates and reputedly received his freedom from Sulla (Christes 1979: 38–9; Rawson 1985: 69–70). At an unknown point during the same conflict, Parthenius was captured by a Roman named Cinna

(perhaps the neoteric poet celebrated in Catullus 95, or perhaps his father) and brought back to Rome (Lightfoot 1999: 12–14). His collection of obscure love stories was dedicated to Gaius Cornelius Gallus (Lightfoot 1999: 215–16), a *praefectus fabrum* in Egypt under Augustus. Finally, Parthenius seems to have taught Vergil (Lightfoot 1999: 14–16). His relationships with such major poets and military figures indicate that grammarians could move within the highest circles of society even if they had been captives.

Tyrannio, Polyhistor, and Parthenius were enslaved, and a servile background is typical of the grammarians mentioned by Suetonius. Twelve of them had been slaves (*Gram.* 6.1, 10.1, 11.1, 12.1, 13.1, 15.1, 16.1, 17.1, 18.1, 19.1, 20.1, 23.1), one had been exposed but nonetheless raised free (7.1), and another who had been exposed chose to continue to be a slave even though he had the opportunity to be manumitted (21.1). Like their Greek counterparts, the Latin grammarians hail from a variety of places, including Syria (8.1), Spain (20.1), Gaul (7.1, 11.1), Athens (10.1), and various parts of Italy (9.1, 16.1, 18.1, 21.1, 23.1). Of the grammarians mentioned by Suetonius, it seems likely that only Ateius Philologus was a prisoner of war, but even without actual military conquest, this geographical spread indicates that Rome's growing hegemony brought in talented intellects.

In keeping with their low origins, grammarians did not typically live in comfort. Suetonius records that three illustrious grammarians ended their lives in poverty (*Gram.* 8.3, 11.3, 20.2), that one became a grammarian only after his pursuit of a political career frustratingly failed (24.1), and that one retired to Sardinia because of an unknown disgrace (5.2). The financial hardships of the profession are mentioned again and again in the ancient sources: the fourth-century CE epigrammatist Palladas lamented the overwhelming poverty he incurred by choosing to be a teacher (*Anth. Pal.* 9.169), and his contemporary Libanius mentions the financial problems faced by teachers (*Lib.* 31, 43). The example of Lollianus from Oxyrhynchus is most instructive. He was the public grammarian in the Egyptian town and was supposed to be paid well, but he claimed that he often received poor quality wine and grain. As a result, he proposed that the city assign him one of its public orchards, which he could then lease out. The additional funds would afford him more time to teach (Kaster 1988: 115–16; Cribiore 2001: 64). Verrius Flaccus, however, was paid 100,000 sesterces (*Gram.* 17.2), Remmius Palaemon earned 400,000, and Lucius Appuleius also earned 400,000, a meaningful number since it was the property qualification for an *equus*. The position of the grammarian thus ultimately depended upon the individual and the context.

A financial problem for teachers was that they were normally paid after their lessons, a system that was full of problems (Bonner 1977: 146–7). Indeed, the exception proves the rule: Suetonius remarks that Antonius Gniphos did not stipulate a fee and simply depended upon the generosity of his students' parents (*Gram.* 7.1). While most grammarians, then, seem to have established fees, collecting them was another matter. Juvenal hyperbolically suggests that teachers were not paid without recourse to legal avenues (7.228–9), and Ovid's statement that teachers were regularly defrauded of their pay also implies that Gniphos's practice was most unusual (*Fast.* 3.829). Grammarians, then, inhabited a wide range of the social spectrum, with some receiving exceptional honors, others trying to squeeze out a living and facing a series of financial obstacles.

Rhetors

Rhetors were typically in a better position. Like grammarians, rhetors concerned themselves with proper speech and demanded attention to the detail of literary works, particularly how they constructed narrative, descriptions, comparison and other essential points of public speeches (Kennedy 1983: 54–73). The ultimate aim of rhetoric, however, was persuasion (Quint. *Inst.* 2.15.4), and it is clear that this skill has a more immediate payoff than does the reading of the poets taught by grammarians. For instance, despite their humble origins and limited financial resources, Vibius Crispus and Eprius Marcellus rose to prominence during Vespasian's rule because of their rhetorical skills (Tac. *Dial.* 8.3). In addition to being respected for their ability to influence one's career, rhetors taught older students and consequently had another leg up on grammarians (Atherton 1998: 228). In fact, Suetonius reports that Caecilius Epirota refused to teach boys except when asked by fathers whom he could not spurn (*Gram.* 16.2), so once again the exception proves the rule. Finally, rhetoric was the final step of the ladder of education, and thus it was by nature open only to those who came from financially secure backgrounds and were afforded the opportunity to spend more time and money on education. The study of rhetoric had prestige as well as practical benefits.

Juvenal suggests that teachers of rhetoric were paid more than were grammarians (7.217). And indeed some rhetoricians – particularly those who were more like sophists – could charge particularly high fees. As they traveled around the Mediterranean and appeared in cities like Rome, Greek sophists such as Scopelian demanded a lot of money from their students. Rewards could come from no less than the emperor: Philostratus records that Domitian gave Scopelian many presents for a speech on vines in Asia (*VS* 520) and that Trajan honored Polemo (531).

Since rhetoric was a more advanced course of study, it is reasonable to assume that the art was taught by experienced professionals. Or, to put it another way, we may expect that rhetors were typically not of servile origin. And indeed it is the case that only one of the rhetors mentioned by Suetonius is explicitly said to be a freedman (*Rhet.* 27.1). Moreover, the rhetors included in the account do have better social standing than the grammarians. Marcus Epidius claimed descent from a god (28.2), Albucius Silus was an aedile in his hometown of Novaria (30.1), and Sextus Clodius was an extremely close friend of Mark Antony (29.2). That rhetors were not of servile origin also meant that they could advance their public career: the rhetor Iunius Otho, for example, reached the senate. But Otho was not always a rhetor, and in a statement that reveals the limits faced by lower level teachers, Tacitus disparages him as a teacher of letters, which was the first stage of ancient education (*Ann.* 3.66.3). Juvenal also suggests that one can use rhetorical skills as a springboard to the consulship, if one's luck breaks right (7.197–8).

Quintilian, whose entry in Suetonius' list has virtually disappeared, is a prominent example of the success that could be achieved through rhetorical skill. He returned home to Spain as a young man after some time in Rome and then became acquainted with the future emperor Galba. He followed the imperial entourage back to Rome, and he subsequently stayed in imperial circles. At some point after becoming emperor, Vespasian set aside a salary of 100,000 sesterces for teachers of

Greek and Latin rhetoric, and Quintilian was the initial appointee in Latin. He then tutored the grand nephews of Domitian (*Inst.* 4 *praef.* 2) and was awarded consular rank (Auson. *Grat. Act.* 731). He was thus known in the highest levels of Roman society for a number of years.

Latin rhetors were not the only ones to have connections with those in high places at Rome. Apollodorus of Pergamum was a famous rhetor who was at Rome in 45 BCE and was chosen by Julius Caesar to teach Octavian (Suet. *Aug.* 89). Empylus of Rhodes, according to Plutarch (*Brut.* 2), was a close friend of Marcus Brutus, who is also alleged to have studied rhetoric with Strato (52.3). Gorgias taught Cicero's son in Athens (Cic. *Fam.* 16.21.6) and then went to Rome. Augustus listened to Craton (Sen. *Controv.* 10.5.21), and Tiberius was instructed by Theodorus of Gadara (Suet. *Tib.* 57). Timagenes was captured, freed, and brought to Rome by Sulla's son, and then became a celebrated rhetor who, for some time at least, had access to Augustus (Sen. *Controv.* 10.5.22) and to Antony (Plut. *Ant.* 72.3). Like Quintilian, such men became known to the imperial circle through their accomplishments in rhetoric. In fact they follow a familiar pattern in which, as Millar has argued, those from outside the imperial circle who came into the service of the emperor were prominent in rhetoric in their native cities (Millar 1977: 60).

But not every rhetor was a Quintilian. Juvenal, in a poem in which he argues against entering the teaching profession, has an interlocutor adduce Quintilian as an example of the benefits of becoming a teacher (7.186–9). Juvenal dismisses the claim, however, and adds that Quintilian is the lucky exception, that rhetoricians had to go to court to obtain the fees owed to them (7.228–9), and that they depended upon the grain that was distributed by the state (7.174–5). The extremes that Juvenal mentions are part of the satirist's toolbox, but nonetheless the ancient evidence suggests that Quintilian was exceptionally fortunate in his accomplishments. Indeed, Suetonius indicates that Epidius was guilty of *calumnia* (knowingly bringing baseless legal charges against another; *Rhet.* 28.1); and the penalty for such a charge precluded one from further participation as a legal advocate and may have resulted in having the letter K tattooed onto one's forehead (Kaster 1995: 303). Another rhetor, Silus, stopped participating in legal cases in part because of shame incurred in a case before the centumviral court (Sen. *Controv.* 7 *praef.* 6). And we also know from Seneca that Cestius, for whom Suetonius' account is merely fragmentary, was flogged by the younger Cicero after the rhetor called his father illiterate (Sen. *Suas.* 7.13). The punishment is obviously unsuited to a Roman of high social rank.

Interest in Grammar and Rhetoric

While grammarians and rhetors inhabited a range of positions on the social spectrum, it is striking that luminaries such as Sulla, Pompey, Julius Caesar, Brutus, Cicero, Antony, Augustus, Asinius Pollio, and Maecenas had contact with many of these teachers. Indeed, the persistent mention of such powerful men suggests that Suetonius' information about the teachers, both grammarians and rhetors, is dependent upon biographies of these more famous men (Kaster 1995: xxx). However that may be, the juxtaposition of the names of such powerful men with some ignominious

rhetors and grammarians invites reflection about the social interaction that took place in those lessons and about what it may tell us about intellectual developments at Rome.

Roman society depended upon the frequent interaction among all levels of society (Wallace-Hadrill 1996: 107). In fact, whether this mingling of classes took place in the baths, the house, or the streets, it was from such interaction that elites solidified their position. Thus some of the noteworthy anecdotes that Suetonius preserves are those in which a grammarian or rhetor flouts conventions of power and authority. Remmius Palaemon, for instance, called Varro a pig (*Gram.* 23.4). More significantly, when Porcellus criticized a word that Tiberius had used in a speech, another grammarian, Ateius Capito, argued that Tiberius' usage was appropriate. This challenge provoked Porcellus to state that the emperor could give citizenship to people but not to words (*Gram.* 22.2). The grammarian's audacity is striking, especially since another anecdote records that while listening to a rather precious speech in Greek, Tiberius was bothered by the speaker's choice of dialect and thus had him banished to Cinaira (Suet. *Tib.* 56). In criticizing an emperor who paid close attention to verbal detail, Porcellus took quite a risk.

Such anecdotes, however, seem to be the exception, and Suetonius' account suggests that these teachers served the various needs of elite Romans, even if they did not view themselves as doing so (Atherton 1998: 223). Grammarians, for instance, were put in charge of libraries (*Gram.* 20.2) or assisted eminent Romans in their literary endeavors (10.6). In addition to the practical interests in learned men, Romans must have had legitimate intellectual excitement about developments in grammar and rhetoric. The persistent importance of Dionysius Thrax' treatise, written about 100 BCE, indicates a new chapter in the study of language, and Varro's work on the Latin language also attests to serious interest. And as such study became familiar at Rome, the anomalous forms of the Latin language surely drew scrutiny. Indeed, Caesar wrote a treatise, *De Analogia*, about nouns and their forms. So there was clear interest in endeavors of this sort (Rawson 1985: 122).

Social concerns also drove the interest in grammar and rhetoric. Seneca (*Ep.* 114) and Tacitus (*Dial.* 32) reveal that linguistic corruption was also thought to be part and parcel of moral vice, and the training offered by the grammarian could shape conduct. To give an example of the work of a grammarian listed in Suetonius' treatise, Valerius Probus emended Vergil at *Aeneid* 8.406 *coniugis infusus gremio* ("lying relaxed on his wife's breast") to *coniugis infusum gremio* in order to eliminate a sexually oriented reading (Holford-Strevens 2003: 164 n38). Aulus Gellius' *Noctes Atticae* preserves another anecdote that involves Probus and appropriate behavior (3.1). While Favorinus was walking to the baths, Sallust's *Catiline* was being read. When the passage in which Sallust purportedly states that avarice "makes a manly body and soul effeminate" (*corpus animumque virilem effeminat*, *Cat.* 11.3), Favorinus wondered how greed corrupts the body. One of his attendants answered that Valerius Probus commented upon this very passage, and that he claimed that Sallust's expression is poetic. That is, he used the words "body" and "soul" to represent an individual, since a man is composed of both body and soul. Whatever we may think of Probus' explanation (Favorinus did not think much of it), he used his philological skills to unpack what Sallust may have meant. The point here is that Probus discussed a passage that concerns proper masculine behavior, and his analysis

presumably touched on that point. Such a discussion fits in with concerns among the Roman elite about effeminacy and public presentation (Edwards 1993).

Correct speech was intertwined with elite identity in other ways as well. The rhetor and especially the grammarian ensured that children learned proper speech. The task was not straightforward, since children would often be raised by slaves and thus potentially exposed to improper modes of speaking (Connolly 1998: 134–5). Indeed, Quintilian demands that children should not become accustomed to manners of speaking that will have to be unlearned later in life (*Inst.* 1.1.5). It was in the grammarians' school that these improper modes of speaking would have to be corrected if a student were to progress to the point of participating in proper discourse. Faults such as usage that derived from foreign languages, syntactical errors, and inappropriate use of words all had to be eradicated before students could enter into public discourse. Language distinguished a man from lower forms of life such as slaves and animals (Atherton 1998: 216; T. Morgan 1998: 267).

Training in the languages also reinforced social hierarchies. The rules of grammar varied depending upon their context: Quintilian notes that at times foreign words could be used when there was no Latin equivalent (*Inst.* 1.5.57), and that poetic usage is not always a reliable model (1.5.11). Anomalous forms assume the regular patterns of declension and inflection but deviate from them, and for people such as Aurelius Opillus (*Gramm. Rom. Frag.* 25; Funaioli 1907), there was a persistent controversy about how Greek words were to be declined in Latin. Language was thus subject to analysis and judgment, and it was the task of the grammarian to observe the balance between strict regularity and allowable variations (Atherton 1998: 239). From such lessons, a student could learn the applicability of the rules that determine what is right and what is not (Atherton 1998: 242). This point could carry over into life, where, depending upon the social category to which an individual belonged, some rules were relevant, others not, and infringements of those rules could be acceptable (Atherton 1998: 243).

Another anecdote from Gellius' *Noctes Atticae* provides an example of grammatical criticism that assumes hierarchies, in this case between men, women and slaves (17.6). In support of the *Lex Voconia*, which made women unable to inherit, Cato is quoted by Gellius as giving the example of a woman who has lent much money to her husband. Subsequently, she becomes angry with him and orders a *servus recepticius* to demand her money back. Verrius Flaccus, one of the grammarians discussed by Suetonius, seems to have commented upon what the word *recepticius* meant, and in doing so two points about social attitudes emerge. First, Flaccus, according to Gellius, reports that the word referred to a slave who was found to have a fault and then returned after being sold, and that the woman's use of the slave was designed to embarrass her husband, implying that the man's conventional position of authority has been undermined. Flaccus' view seems to stem from the literary world of comedy, in which women use tricky slaves to subvert social norms. Gellius, however, disagrees with Flaccus and offers a more straightforward reading of the legal term *recepticius*. He believes that the slave was part of the property that the woman refused to entrust to her husband, and thus she was said to "hold back" (*recipere*, NA 17.6.6) the slave. This view allows that wealthy women could have a great deal of power in their household, and in this case the dowry complicates the relationship between husband and wife. Indeed, in the explanation offered by Gellius, which uses Plautus to

overturn the motif of the tricky slave and wife team that may lurk behind Flaccus' statement, the husband's power is again proven to be subordinate, though for reasons different (and better) than those offered by Flaccus.

Linguistic training would also have been beneficial in the informal interactions that comprised the life of Roman elites. Anecdotes in which details of speech and diction are discussed pepper Aulus Gellius' work. Once again, Verrius Flaccus appears, this time arguing that the verb *festinare* ("to hurry") derives from the verb *fari* ("to speak"), reasoning that those who cannot accomplish things talk more than they actually work (NA 16.14.2). The claim is absurd, but Gellius juxtaposes this view to that of the elder Cato, who seems to have been the person to raise a discussion about the differences between *festinare* and *properare*. Cato, of course, was a famous orator and prose writer of significant authority, and thus the debate about the meaning of the words cannot be dismissed. Aelius Stilo, another one of the grammarians discussed by Suetonius, appears in Gellius arguing against the use of *novissimus* and *novissime* because they are novelties. Once again Gellius matches this grammarian against formidable Latin wordsmiths: Sallust, Cato, and Varro are used to illustrate that the form is actually acceptable (NA 10.21.2). Such pedantic moments reveal that one's reputation and claim to belong at the table of elite conversation were at stake in these discussions. Speech was a form of self-presentation, and the necessary cultural capital needed to be exhibited in order to claim a place in the discourse of the elite (Gleason 1995: 167; Swain 1996: 64).

Linguistic competence and command thus pervaded all sorts of Roman social interactions, whether to position elites among elites or to distinguish the upper from lower classes. Speech was also used, however, to demonstrate values and ideas about Rome's position in the world. Gellius records, for instance, that Verrius Flaccus argued that the days following the Kalends, Nones, and Ides were wrongly called *nefastos* ("holidays") by the masses (NA 5.17.1). He argues that those days should instead be called *atros* ("ill-omened"). Flaccus' reason is that when the Gauls attacked Rome in 390 BCE, a sacrifice to the gods was made on the day after the Ides, but the army was nonetheless defeated and then the city was sacked three days later. In addition, Flaccus added that many senators noted that the battles fought after sacrifices on the days following the Kalends, Nones or Ides went badly, and thus priests decided that sacrifices should be avoided on those days. The grammarian's pedantry exemplifies values that, particularly if taught to children, assert a Roman view of the world: religion is inextricably linked with Roman military success; military failure will always be remembered; and it is the senatorial class that is responsible for preserving and transmitting such information.

The correlation between power and language must also be viewed in light of Rome's growing dominance over the Mediterranean. Suetonius credits Crates with the introduction of grammar to the city of Rome while he served on an embassy from Attalus (*Gram.* 2.1), and from there his account shifts toward Romans who took up the task of grammatical criticism. Whatever his actual historical impact may have been, however, Crates represents something more in Roman thought. According to Varro (*Ling.* 9.1), Crates represented the so-called "analogists," and Varro matches him against the "anomalist" Aristarchus, the great Alexandrian critic. The two great intellectuals are paired in another anecdote in which it is said that Crates advised Attalus to ingratiate himself to the Romans by sending them sheepskin parchment,

whereas Aristarchus advised Ptolemy to send papyrus. The two great scholars – and their preferred writing materials – represent powerful and prestigious Hellenistic kingdoms that Rome would come into contact with and eventually overtake.

The legacy of such powerful states had an impact on both Suetonius' account and the actual intellectual climate at Rome. Antonius Gniphos was said to have been educated at Alexandria by Dionysius Scytobrachion, though Suetonius refuses to believe the claim (*Gram.* 7.1). Though chronology suggests that, as Suetonius suspected, Gniphos could not have studied with Dionysius, it is possible that Gniphos studied at Alexandria. The real point, however, is that the reference to Alexandria is a way to suggest that Gniphos had a special pedigree. So too Hyginus was thought by some to have been in Alexandria, and, after it was captured by Julius Caesar, was taken to Rome, where he then heard the great Alexander Polyhistor (*Gram.* 20.1), who was himself brought to Rome after he was captured during the Mithridatic wars. Suetonius, however, is dubious about Hyginus' Alexandrian background and states that he was a Spaniard. Once again, though, Alexandria makes it into the record because of its reputation for scholarship. Others also seem indebted to that city. Lucius Ateius took on the name of Philologus because he was like his Alexandrian counterpart Eratosthenes (*Gram.* 10.4), who worked at Alexandria on a host of topics. Aurelius Opillus was interested in the etymologies of poetic words, which, as Rawson has pointed out, is an Alexandrian method of criticism (Rawson 1985: 124), and the title of his literary catalogue (*Pinax*) harks back to the Alexandrian scholarship of Callimachus (*Gram.* 6.3; see Christes 1979: 19). The Hellenistic Greek world is a shadowy but persistent backdrop to Suetonius' account of grammar and rhetoric at Rome.

The importance of Hellenistic Greece and especially Alexandria is revealed by other sources as well. The elder Tyrannio, Parthenius, and Alexander Polyhistor were all captured during the Mithridatic wars and shaped the intellectual life of late republican Rome. Force was not subsequently required: grammarians such as Philoxenus, Pacatus, Tryphon, Habron, Seleucus, Aristonicus, and Apion all ended up working in Rome (McNelis 2002). Rhetors, however, were not present in Alexandria (Fraser 1972: 810), and thus the influence of rhetoricians on Rome derived from places like Rhodes and Athens. The educational practices of the Hellenistic world also shaped events at Rome. Verrius Flaccus, for example, was hired to teach Augustus' grandsons, though he was no longer allowed to take on additional students once he entered into the employ of the emperor (*Gram.* 17.2). Such employment develops a practice of the late republic, when, for example, Cornelius Epicadus was closely linked to the family of Sulla (*Gram.* 12.1), and Curtius Nicias was on close terms with Pompey and Memmius (14.1). But even that practice recalls that the head of the library at Alexandria tutored the children of the Ptolemies (Polyb. 31.23). It is not hard to see that the employment of learned men by conquering generals was part of a tradition that stemmed back to the Attalids, the Ptolemies, and ultimately Alexander the Great and his father Philip. Great conquerors had been accompanied by learned men, and the Romans were quick to learn from their predecessors.

Power and knowledge were connected through libraries. Caesar planned a public library, Asinius Pollio founded one, and subsequent emperors were concerned with the creation of libraries. Indeed, from Suetonius we know that Augustus put Melissus in charge of the library in the Portico of Octavia (*Gram.* 21.3), and he also had Hyginus run the library on the Palatine (20.2). The Forum of Trajan commemorated

his war campaigns, and the library was a central part of that Forum. It is hard not to think that such direct interest in learning was not influenced by the example of Hellenistic dynasts such as the Attalids at Pergamum. But most of all, the Ptolemies and their support for the library at Alexandria must have been a powerful example for Rome's elite. We know that Chaeremon, the head of the library at Alexandria, was tapped to be the tutor of the young Nero, a fact that suggests that the ruling family at Rome had a good sense of what was happening at the Museum. Claudius enlarged the Museum and instituted an annual reading of his histories of the Carthaginians and Etruscans (Suet. *Claud.* 42), and Domitian sent scribes to Alexandria to replenish a library after it had been destroyed by fire (*Dom.* 20). Dionsysius of Alexandria seems to have been in charge of libraries at Rome from the time of Nero to Trajan (*Suda* d 1173). In sum, there are a number of indications that Rome's rulers showed a special interest in Alexandrian learning, particularly its library.

Far from marking cultural anxiety, Rome's reception and inheritance of the Hellenistic world and its ideas of learning stem from the ascendancy of its empire. Emperors used the descendants of eastern dynasts to govern provinces, or even to serve as consuls (Syme 1988: 10–13). Gaius Iulius Severus was admitted to the senate by Hadrian, and four of his cousins were consuls under Trajan. All were of royal ancestry. Of course, individual emperors played a huge role in all of this. Syme notes that Vespasian and Trajan in particular fostered the connection between the Hellenistic dynasts and the Roman state, and that one's education mattered to Vespasian, who established the first chair of rhetoric at Rome. Indeed, the role of education is so pronounced that, as Syme commented, the Library of Iulius Celsus, with its Greek and Latin inscriptions facing one another, not only commemorates that official's career, but also “stands as solid testimony to the alliance between education and government” during this period of the empire (Syme 1988: 17). The vestiges of the Hellenistic world solidified Rome's power.

This dynamic worked in a similar way in the western part of the Mediterranean. Syme has observed that “the new Romans of the western lands were mixed in origins” (1988: 4). Given such diversity, the teaching of standardized patterns of speech also served Roman interests. And they had an impact, as we can see from both of the Senecas and Quintilian. The connection with the Greek world persisted here too, however. Evidence that a treatise of the Spanish grammarian Lucius Annaeus Cornutus was read in Egypt has emerged from Oxyrhynchus (Turner 1975: 1–2), and Strabo records that the Greek grammarian Asclepiades of Myrleia was at work in Spain (*Chr.* 3.4.3; Hillscher 1892: 381–2). But the literary education that Rome imported and then exported, through figures like Quintilian, who spent time at Rome and then went back to their homelands, contributed to the conversion of local aristocrats to Roman practices (Wallace-Hadrill 1983: 36–7) and thus helped to establish Roman power.

A figure who crystallizes these broad dynamics is the father of the poet Statius. During his career, the father taught Greek poetry and Roman religion to elites (*Silv.* 5.3.146–90), presumably both Roman and Greek. And when Statius himself imagines what some of these students ended up doing for their careers, they are involved in enforcing Roman power: one gives laws to easterners (*gentibus alter / iura dat eoīs*, 5.3.185–6), another governs Spain (*alter compescit Hiberas*, 5.3.186), others guard borders in the east (*alter Achaemenium secludit Zeumate Persen, / hi dītes Asiae*

populos, hi Pontica frenant, / hi fora pacificis emendant fascibus, 5.3.187–9). The control that is imagined for these students by Statius is predicated upon their having been taught in the classroom of the grammarian, and then, implicitly, that of the rhetor. Both of these classes of teachers trained students to assume power, whether it be at the corners of the empire or in their own house. And in doing so, they contributed to the expansion of Roman power.

FURTHER READING

Suetonius' *De Grammaticis et Rhetoribus* has been well served by the publication of the edition and commentary of Kaster (1995). For the position of this treatise within Suetonius' entire oeuvre, see Wallace-Hadrill (1983). Kaster (1988) uses an enormous range of evidence to study the role of the grammarian – and indirectly the rhetor – in ancient society, though his focus is usually later than the early empire. Christes (1979), in German, looks at the numerous slaves and freedmen who made an impact on Roman education during the late republic and early empire. Cribiore (2001) focuses on the social status of grammarians and rhetors in Egypt, though her work bears directly upon education throughout the Mediterranean. This work builds upon her study (Cribiore 1996) of the technical aspects of learning in Greco-Roman Egypt. Turner (1975) demonstrates the important relationship between Rome, Oxyrhynchus, and Alexandria. Vössing (1997), in German, looks at another part of Africa that had a serious impact on Roman education.

For intellectual life in Rome, see Rawson (1985), though it does not consider the empire. Bonner (1977) studies all stages of education in ancient Rome, and Marrou (1965⁶), in French, has a broader focus. Booth has written numerous articles on education in Rome; see especially Booth (1979, 1981). For lists of scholars working in Rome see Hillscher (1892). Funaioli (1907) and Mazzarino (1955) collect the fragments of the grammarians; for grammatical work that extends well beyond antiquity see the eight volumes of Keil's *Grammatici Latini* (1855–1923).

CHAPTER TWENTY-TWO

Roman Declamation: The Elder Seneca and Quintilian

W. Martin Bloomer

Declamation is the first major literary movement of the Roman empire. The generation that first read Horace and Vergil in school was also the first to cap their rhetorical and prose training with performances of declamatory speeches. To judge from the account of the elder Seneca, Roman declamation was apparently simultaneously a show performance – akin to the public recitations of literature that would provoke the ire of Juvenal, among others – and the common school training of the elite.

Just as the public recitals of literature in early imperial Rome have been understood as a pale version of late republican and Augustan literary culture, so declamation has been criticized as a substitute, thin and fanciful, for the robust and real oratory of the republic. Cicero and Cato had fought law cases, proposed governmental policy, and struggled to fight rival factions and forge consensus. By contrast, the leading declamatory pleader under Augustus and Tiberius, the Spaniard Latro, argued that a fictional father had been unjust to his son in not approving his marriage to the pirate's daughter who had helped ransom the young fellow. Latro's nerve, we are told, failed him the one time he had to plead a real case (Sen. *Controv.* 9 *praef.* 3; Quint. *Inst.* 10.5.18).

In fact, the differences were less dramatic than have often been supposed. The practice of upper-class Latin speakers attending the public recitals of aspiring poets continued a tradition of the minor genres of Hellenistic literature. Similarly, public oratory did not collapse to declamation. The law courts continued to offer venues for attack and defense; careers were made here; leading men were attacked, although it is true that all tended toward the emperor's ear (see chapter 9). The reality of his final word and the presence of magistrates serving at his appointment constrained the scope of public oratory. Yet the habit of verbal contention among the elite did not evaporate.

Declamation continued some of the social function of Roman oratory by forecasting the stars of the coming generation and by ranking and re-ranking professional speakers. But beyond these aspects of display and evaluation that animated an expert community, declamation continued another, arguably more important function of the older oratory. Themes of good and bad government were essayed, with a particularly familial cast: the father figures more prominently than the tyrant. Themes turning on the play of loyalties of the male citizen to family, friends, dependents (including slaves and women), the state, and the gods offered performers and audience an ongoing exploration of the roles and duties of the Roman man. Certainly, political themes have been domesticated and moralized. The historian may well lay these developments at the feet of Augustus, the great manipulator of media, for whom the crushing of civil wars and the creation of a new order were the duty of a loyal son for a murdered father and the act of a public servant who is not emperor but *pater patriae* ("father of the nation"). Declamation often featured a paternal stance through the direct investigation of a father's roles and the playacting of young boys as stern fathers, and also because the new generation was taking up an ancestral mode of speech. Whether or not this stance stems directly from the new imperial articulation of power, or reflects anxieties about the transition of power from one generation to the next, it allowed a treatment of themes and problems at the heart of what it was to be a Roman citizen.

The descriptions of declamatory practice from Quintilian and the elder Seneca, as well as the model declamations in various collections, present two declamatory exercises that came as the apex to the graduated series of composition exercises that had occupied the Roman student, from grammar school on. Students advanced from the *suasoria*, the mock speech of private advice to a great man, to the *controversia*, the mock legal speech which sets them as the advocate of the dispossessed or as the vindicating champion of injured and outraged family and state. It was the *controversia* that became the specialty of the rhetoricians. In his pose as legal advocate the Roman youth mimicked the adult role of court pleaders, a position of high status and drama in the imperial age as in the republic. The *realia* of wills, contracts, witnesses, criminal law, or political attack did not impinge on the young speakers. Declamation offered its practitioners a preliminary version of public speaking where the rules for invention of arguments and even evaluation were clearer and simpler.

The elder Seneca thought that declamation had developed at Rome in his own lifetime (Fairweather 1981: 124–31 criticizes this view). This belief suited his own published account of declamation, which has at its core the old man's memory (prodigious by his own account). His preface presents an old man harried by his sons to give them a book: he remembers all the declaimers and preserves a faithful record of their oral performances. Seneca in fact equates forgetting with a loss of Roman values: the young forget and slip into faulty speech and morals (on the significance of memory in Seneca's project, see Bloomer 1997b: 111, 118; Gunderson 2003: 29–33). In this respect Seneca does not seem to have appreciated the connection of declamatory training with speech training at Rome. The term declamation had originally meant voice training, and in Cicero's day and before, prominent Romans were not in the habit of assembling to hear a performance on a theme from the rhetorical schools (see Fairweather 1981: 124–8; for the evidence of Cicero's private, self-training in Greek and Latin see *Brut.* 309–10, *Fam.* 9.16.7; and for the simple

causae set at school see *De Or.* 2.100). Yet Cicero's own education provides one clue to the training in Latin speeches before the standardization of declamation to which Quintilian and Seneca attest. After Cicero had finished his grammatical studies, Lucius Crassus among others dissuaded him from attending the rhetorical school of Plotius Gallus (see *De Or.* 3.93, *Brut.* 169). Our picture of this school stems from the character of Crassus in Cicero's dialogue *De Oratore* and from Quintilian's interpretation of Cicero's text (*Inst.* 2.4.2). Gallus is said to have had his students practice fictional cases that imitated forensic and deliberative speeches. Gallus was clearly an important teacher, but he and his methods were strongly disapproved of, both by Cicero and apparently by an edict of the censors in 92 BCE that censured the Latin rhetoricians (Suet. *Rhet.* 25.1; see chapter 3 in this volume). Gallus may well have offended for the loud style of his delivery, for his pool of clients, and at least in Cicero's judgment for not using Greek. More positively Gallus' school attests to the appetite for Latin speech training and for a method of mock legal and hortatory exercises.

As school exercises declamatory *controversiae* and *suasoriae* represent the mastery and maturation of techniques of composition and delivery learned in the graduated curriculum of the ancient grammatical and rhetorical schools. Descriptions of places, speeches in character, fictitious interrogation, the construction of *sententiae*, and *apostrophe* had each been studied as separate exercises. (See Quint. *Inst.* 9.2.29–37 for an extended discussion of the commonplace on character; also see 3.8.51–4, a remark on the declaimers' practice. Russell (1983) views the speech that pretends to be someone else, somewhere else, as the imaginative essential of literature and of declamation.) The teacher provided model declamation and advice, the *sermo*, which included directions on structure. In his reading the ancient schoolboy kept a copy-book which would serve him well when in need of purple passages or an aphorism. Student aids existed: the elder Seneca's extracts, Otho's book of *colores* (see *Controv.* 1.3.11 and compare 1 *praef.* 11 for written or forged declamations then in circulation), and Valerius Maximus' nine books of *exempla*. (The great professional Latro was exceptional in needing no notebooks, *Controv.* 1 *praef.* 18.)

The intellectual roots of declamation lie certainly in Hellenistic schooling, since declamation rests on a system of topical invention of argument (Cicero's *Topica* reflects the modification of what had been an analysis of argument in Aristotle to a means of discovering arguments). Arguments were to be found by subjecting the facts at hand to a small set of questions. The convenience for the composer is clear: he could try to excuse incriminating facts (for example) by asking if the alleged offense violated the letter or the spirit of the law. The rhetorical categories of the likely and the fitting similarly underlie much of the approach. The declaimer might ask if the actions fit the definition of the charge or if they fit the character of the client. To answer such questions could mean bringing other evidence to bear – such evidence being the artificial proofs of the declaimer's own making. He could adduce, for instance, comparative examples from history and literature or bring in a commonplace he had worked up in his notebooks. Again, there are correspondences with Aristotle's rhetoric, but an intermediary, Hermagoras, is responsible for the simplified system of discovering arguments.

The simplicity of the system of *stasis* (in Latin *status* or *quaestio*) must have appealed to the list-making tendencies of teachers and students. When set a theme full of twists of plot or of complex psychological motivation or of sheer banality – one

perhaps already declaimed by his grandfather – the speaker will ground his version by posing one or more of four questions: did the alleged event happen, does the event match the offense as defined by law, what motivation of the agent can be gleaned from the event, and should the event be judged by the present court. School Latin put the questions more elegantly and memorably: conjecture asks *an sit*, definition *quid sit*, quality *qualis sit*. (The declaimers usually did not employ the last question, that of the competence of the court.)

Declamation was not a training in law but a training in speaking as an advocate, and so just as witnesses and testimony were not summoned, so Hermagoras' approach to laws was curtailed. He did, however, provide a methodology that allowed all laws to be discussed by applying the following categories: the letter and intent of the law, ambiguity, contrary laws, and analogy (on Hermagoras of Temnos see Barwick 1964 and Nadeau 1959). The declaimer, for instance, would not cite contrary laws from his own city; rather the contrast of the letter of the law and equity (*littera* and *voluntas*) would be applied to the fictive law cited in the directions for the declamation. The question of conjecture, *an sit* ("did it happen?"), would likewise be neglected. The facts of the theme of the declamation are taken as given, and the declaimer must rely on his own invention, that is, proofs of artifice, not on a witness's testimony or on the disputed jurisdiction of a court.

At times the directions leave ambiguous whether the defendant committed the crime. Here the declaimer can play detective – not refuting the deed by introducing facts and testimony, but by reading the signs indicated or intimated by the plot. Thus when a blind son is discovered in the bedroom of his murdered father, the declaimer is allowed to explore *an sit* not by adducing that his client was seen elsewhere but by arguing from *persona* (the character of the accused). The actions of the defendant's character invariably follow, in the ancient rhetorical understanding, from *potestas* and *voluntas*. Did he have the power, the capacity (*potestas*) as a blind man to do the deed? Did he have the will, the intention (*voluntas*) as a son? Capacity and intent will serve the future lawyer well, but here these categories stem solely from the exploration of rhetorical character. In organizing the contours of their speeches, declaimers apply categories to mere types.

Whereas scholars have been concerned to demonstrate that declamation did not reflect real legal practice (e.g., Crook 1995: 163–7) – in this, as in so many respects, following in the traces of ancient complaints that declamation was unreal and impractical (see chapters 24, 29) – a more positive and productive approach is to describe the affinities of declamation to the traditions of speech instruction and the formation of the city state's elite. As a species of practice oratory, declamation has roots that extend past Hermagoras to the mid fifth-century tetralogies of Antiphon. These exercises had Athenian schoolchildren present mock judicial speeches that mirrored the *contra, pro, contra, pro* sequence of the Athenian courtroom. Ancient education is sometimes said to have focused on Homer or more generally on literary texts; yet whereas students learned to read and write from their Homer, the culmination of education was not the production of poetry but the performance of prose speeches. To speak as the orator, not to sing as the bard, represented the ideal for the toiling student. To speak as an orator meant to practice fighting with words. The verbal battles set the young as the counselor to kings and generals, and the champion of the victimized, the raped, and the dispossessed.

The Roman student started declamation either at grammar school or under the rhetorician (as Quintilian recommends at *Inst.* 2.1.1–2) with the *suasoria*. This deliberative speech was the easier exercise since it trafficked mostly in familiar ethical arguments and because its author had only one part to write. The great man, Hannibal or Alexander, did not answer. He could be directly addressed, or he could be spoken about in the third person. The *suasoria* thus required narrative with the occasional apostrophe, whereas the *controversia* would introduce a number of speaking parts and demand a variety of perspectives. The *suasoria* did require that the speaker imagine a remote scene: Hannibal at the Alps or Alexander at the Ocean, for example. The speaker has to set himself there, to urge action on the great man, to explain how the proposed action was consistent with the great man's character (but not primarily to delve into the ethical consequences of the rival courses of action). The historical setting made the scene familiar, but no nicety of historical accuracy, no period piece was required. In writing and speaking as a male adviser to a male potentate, the composer had the duty to deliver a coherent exhortation from the known and general outlines of history. Sometimes the history had not happened, as when Cicero is made to choose between burning his writings and being executed by Antony. This is little matter: the speaker is essentially composing a fantasy that is almost dream-like in its insertion of the self as a speaker and agent in the grand past.

The *suasoria* has its formal origins in a philosophical exercise, the speech on an ethical choice known in Greek as a *thesis*. Once a *thesis* is given a particular speaker it is categorized as a *hypothesis*. So “should a man marry?” is a *thesis*; “should Cato marry?” is a *hypothesis* or *suasoria*. Quintilian offers this analysis (*Inst.* 3.5.11). Indeed, the *thesis* on marriage may go back to Theophrastus. Philostratus maintains that Aeschines, driven from Athens by Demosthenes (330 BCE), initiated the second sophistic movement, which used *hypotheses* with the characters of the poor man, the hero, and the tyrant – who recur in later declamations. Philostratus, in the preface of his *Lives of the Sophists*, describes these themes as essentials of the second sophistic; at 1.18 he identifies Aeschines as the founder of the movement, although his discovery of the founder as the man driven from real oratory is schematic and suspect. Aristotle indicated that the philosophical *thesis* took up a general question, which could be scientific or ethical. For example, δὲ πάντα τῷ πατρὶ ὑπομένειν καὶ πείθεσθαι (“is it necessary to obey a father in all things?”), *Eth. Nic.* 9.2). This might have led to an abstract reflection on the nature of a father's authority or on the definition of obedience, as the philosopher Musonius Rufus begins his treatment: νεανίας τις, ὃν ὁ πατήρ φιλοσοφεῖν βουλόμενον ἐκώλυεν, ἤρετο αὐτὸν ὡς πῶς Ἄρα γε, ὦ Μουσώνιε, χρὴ πάντα πείθεσθαι τοῖς γονεῦσιν... (“a certain youth, keen on philosophizing, whose father had forbade him, asked Musonius if it was necessary to obey parents in all things...,” 16).

In practice, however, the *thesis* seems to have set a paradox as its starting point. If a father urges evil action on his son, must the son obey? One ethical imperative encounters a second, and the speaker must make one the superior claim. Of course, with such a *thesis* the philosophical schools were not abstractly establishing a hierarchy of ethical claims. The speaker of the *thesis*, the one to benefit from this practice speech, was not Aristotle or the teacher but the young student. Philosophy itself or the school community or the son's growing ability at argument begins to supplant the authority of the family. The popularity, even tedium of the theme of sons debating

whether to obey fathers is clear (see Sen. *Ep.* 101.15, which mentions in passing that “many fathers” have led their children to depravity). Quintilian’s *Declamationes Minores* 257 offers a sample treatment. In this case the plot has turned the *suasoria* into a *controversia* by setting it in a courtroom: a son has married the daughter of his father’s enemy in order to use the dowry to ransom his father captured by pirates; the ransomed father demands that the son divorce. Aulus Gellius’ *Noctes Atticae* 2.7 (titled “On the Duty of Children to their Parents”) here confirms the widespread use of the theme and reveals the interconnections of declamation with Roman and Greek literature, for he reports the divisions of approach of the various writers “On Duties.”

The font of Roman writing on duties, Cicero himself, demonstrates the suitability of *suasoria* to the Roman literary imagination. In March 49 BCE, as he struggles to decide whether to support Pompey in the brewing civil war and so actively oppose Caesar, Cicero writes to Atticus (*Att.* 9.4) that he has been rehearsing in his mind various theses on the theme of tyranny, especially the ethics involved in a citizen acquiescing in a despotic regime. (Caesar is viewed here as the tyrant-to-be.) The spur to the introduction or spread of the *suasoria* as a school form is unknown, but in this case Cicero himself practices philosophical theses at a time and occasion where they look much like *suasoriae* addressed to the self (interestingly, Cicero in his letter summarizes the themes in Greek). While Cicero turned to philosophy, his son practiced rhetorical themes. Perhaps the contrast of generations forecasts the rise of declamation. Certainly Cicero’s son and his peers would not so directly confront tyranny, but the tyrant, Alexander or Sulla, will be a prominent focus of declamations. At the same time Cicero’s philosophical works, written in his enforced retirement, would provide the next generation a trove of moral arguments on social duties; and the historical figure of Cicero himself – beheaded in 43 BCE for his political resistance to Mark Antony – would draw their reflection on what price to set freedom.

The *suasoria* was a kindred form to the ethical *thesis*, yet it would serve not simply to channel an earlier more philosophical and political reflection on the self, but also to craft a new, rich fiction. The *suasoria* is indeed connected to various genres of the literature of the imperial age. A character in a play or in a poem, epic or erotic, may deliver what is in essence a *suasoria* (e.g., the poet Ovid urging Corinna not to sail at *Amores* 2.11); yet not all dramatic monologues can be attributed to the *suasoria*. Nevertheless this exercise contributed at an early stage to the rhetorical panoply of the writer and to the representation of persona. The identification of the speaker with the persona of the advocate seems a fundamental ingredient of literary subjectivity. The more general effect of the *suasoria* can also be felt in the meditative literature of the early empire, where Romans examined “duty” almost as a literary choice between alternative imperatives or impulses in how to live. These models of behavior were provided by the past but now perhaps made obsolete by the new realities of the empire. Thus Pliny writing a letter on how to treat freedmen or Seneca writing his epistles to Lucilius verges on the deliberative mode of the *suasoria*. The *suasoria* along with the rhetorical figures of ethopoeia, prosopopoeia, and *dubitatio* helped shape a literature interested in the conflict of norms and the representation of an authoritative self negotiating these imperatives.

The evidence of the Roman school suggests a limited range to the themes of the *suasoria*. The seven extant examples from the collection of the elder Seneca (these are in fact his recordings of the best parts of the professional performances on seven

themes) adumbrate a brilliant literary culture, frequented by Romans of the highest status, that uses allusion, wit, paradox, and literary description to imagine a world of virtue and virtuosity. How this could be – how a school composition exercise was at the same time the venue to perform the duties that made a Roman – may become clearer by first reviewing our information regarding school practices. We shall then consider the indications of audience and audience reaction in the record of the professionals; finally we shall assess the grander form of the school exercise, the *controversia*.

Quintilian lists as themes (*Inst.* 7.1.24, 3.5.13) “should Numa assume the kingship?” and “should Cato marry?” In the *Vitae Sophistarum* Philostratus records Greek themes in which the Spartans or the Scythians consider whether to abandon their tough, ancestral ways for some more immediate good (e.g., 1.20, “should the Spartans build a wall about their city?”; cf. 1.24; at 2.5 the declaimer Alexander is reported to have addressed the Athenians on whether the Scythians should give up city living and return to their ancestors’ nomadic life). The *suasoria* on who should receive the arms of Achilles is perhaps not so one-sided. Who is the second best of the Greeks: Ajax or the wily Odysseus who managed to win the arms? In all these cases, arguing about what might have been (like arguing about what is not) develops the imagination. Yet the *suasoria* does not present a radical fantasy. We know the answers to their rhetorical questions just as we know the questions are rhetorical; our sympathies are clear. Rome and her laws need Numa. The Scythians and the Spartans (like the Romans) should respect ancestral custom. The *suasoria* then is not in fact an example of what the Greeks called *dissoi logoi* – the speeches on either side of an issue. The titles call for tradition and history to be defended against innovation. The exercises probe not so much alternatives to reality and history as the motives that animate an approved choice. A speaker may shock his audience with his wit and brilliance but not by opposing their values and sympathies.

The notices of the best (more rarely the worst) one-liners, purple patches, and structural divisions from the seven *suasoriae* of the elder Seneca likewise display normative ethics unfolding against themes from famous moments in history. The themes of Seneca’s *suasoriae* are: (1) Should Alexander at the edge of the known and conquered world set sail upon the Ocean? (2) Should the Spartan Three Hundred abandon Thermopylae? (3) Should Agamemnon sacrifice his daughter Iphigenia to secure safe passage to Troy? (4) Should Alexander, despite a prophecy of his death, enter Babylon? (5) Should the Athenians remove the trophies of their victories over the Persians in order to prevent another (ahistorical) invasion by Xerxes? (6) Should Cicero beg Antony to spare his life? (7) Should Cicero burn his writings in order to win Antony’s clemency? Although Seneca’s *suasoriae* start in mid-course (the title and beginning have perished, and this is far from the only loss in the manuscript tradition), the first few lines show the allusive, compressed, and fast-turning style of declamation. The Ocean is described not simply in some picturesque evocation. Nature is said to have put a limit on all things but Ocean. A sententious definition restates the thought: *nihil infinitum est nisi Oceanus* (“there is nothing infinite except the Ocean,” *Suas.* 1.1). We can see the declaimers responding to literature and to each other. The declaimer Argentarius addresses Alexander before having Alexander address himself in the third person, with a *sententia* responding to the definition of

Ocean: *nihil tantum est quod ego Alexandri periculo petam* ("there is nothing so great that I would essay at the risk of harm to Alexander," *Suas.* 1.2). Argentarius can have Alexander address himself because Alexander is, like Ocean, a category, something grand to be defined and to be understood from the attributes deduced from a definition. The theme allows treatment of the Ocean with all its barrenness, vastness, and sea monsters. Alexander will be compared to Hercules since he was content to stop at the Pillars of Hercules. The reader seems to swim through the Ocean of all possible arguments for not transgressing a border, in what at its height does approach serious ethical reflection on self-sufficiency, one that might have appealed to an Epicurean or Stoic in the audience.

Of more palpable appeal are the abundant correspondences in imperial Latin literature. Quintilian recognized that this theme invited descriptions of the Ocean. Lucan, Seneca, Juvenal, Tacitus, Quintilian, and Curtius Rufus offer similar descriptions of sea and beasts and India and comparisons of Alexander to Hercules and Dionysus and the commonplace on the variety of fortune (see the notes in Winterbottom 1974: 484–611). At times the declaimers go too far, as when Moschos has Alexander vary the "*nihil est quod*" *sententia* with the help of Caesar's well-worn *veni, vidi, vici* to make *quod noveram vici* ("all that I knew I conquered," *Sen. Suas.* 1.2). Perhaps one variation that seems silly to us will be instructive. The declaimers give as a reason not to sail that Alexander should not leave mommy behind (1.4, 1.8, 1.10, 1.13). Declamation is shot through with reflections on family obligations. Family is an argument magnet, drawing all topics back to itself.

In this theme as elsewhere, the declaimers show a keen awareness of the difficulty of talking to a king (which perhaps in a Roman context began with Cicero's three speeches before Julius Caesar). For the Roman at the outset of the empire no easy formula of panegyric makes clear how to address Augustus or Tiberius; and just as Tacitus' *Annales* report the efforts of senators to address the emperor properly and effectively, so the declaimers' pages attempt the difficult, ethical direction of a grand superior by a speaker who wraps himself in traditional Roman education and sensibilities.

The summit of the curriculum and the much better attested exercise was the mock legal speech of the *controversia*. The theme set the facts of the case and often cited a fictitious law. In the school versions the master could expound in his *sermo* directions for how to divide and develop the case. The elder Seneca's record of the audience's reactions and of his and others' judgments serves as the *sermo* to the professionals' performances (reinforcing lessons in structure and taste similar to that of the teacher of the *Declamationes Minores*). With this, the most difficult of school compositions, the young man played the role of a legal advocate arguing for the deliverance, very often, of some young man who has run afoul of a stern father. Considerable scholarly attention has demonstrated the noncorrespondence of declamatory law to Roman law. Of course, declamation was pre-law training. If it had corresponded better to Roman realities, the vital function of getting adolescents to speak freely and imaginatively on the topic of a conflict among husbands, wives, freedmen, slaves, friends, clients, tyrants, pirates, and children would have needed to be delayed until the intricacies of Roman contracts, wills, and criminal law had been vetted. Quintilian makes the point that declamatory laws were easier than real laws (*Inst.* 7.4.11). The comparison of themes and laws in declamation to the extant digests of law cases tends

to obscure the utility of declamation. Far better would be to range a speech before a court of the Roman empire with a contemporary declamation, but no courtroom speech has survived. Dingel (1988: 2) points out that declamation does follow certain inclinations of Roman law, for example, the tendency to recognize a will in disputed cases and the tendency to favor a resolution that confers freedom on a slave (see also Quint. *Inst.* 12.3.7–12). The relation of declamation to Roman law, in addition to being the common training shared by every lawyer and by a citizen jury pool, is perhaps the relation of *beneficium* and *officium* to legal contract, that is, social obligations and roles to legal obligations and roles.

The laws and themes treat the worst things that could happen to a family, most often the worst things that children could suffer or do. A daughter is raped; a son is disobedient and ungrateful; a father is so harsh and unfeeling that he disinherits his son. The daughter's chastity is explored in such other themes as the prostitute who would be a priestess (Sen. *Controv.* 1.2: she has been rescued by her family, maintains she preserved her chastity and now wants to be a candidate for a priestesship). In declamation the options of priestess, whore, or wife face the injured daughter of the family. The declamatory law actually allows the raped an option of choosing death for her attacker or marriage to him. The role of wife receives some consideration, but customarily her duties to husband are contrasted with those to father (e.g., *Controv.* 2.2). The husband is as ungrateful to his wife as he is to his son or to the pirate's daughter who has rescued his son. Thus in Seneca's *Controversiae* 2.5, in which a worthy wife is divorced for barrenness (she had endured torture to protect her husband in a plot against a tyrant), the focus of the declamation remains on the ingratitude of the *paterfamilias*. The wife uses arguments that perhaps might have been used, not in any legal case, but in the family councils that mediated the rifts between husbands and wives and their families.

The most prominent family drama, however, is that between father and son. Like the daughter selecting death or marriage for her attacker, the son also must make a choice, between his father and uncle (*Controv.* 1.1), between father and the pirate girl who is now his wife (1.6), between a father who has lost his hands in battle and the adulterous mother that the father orders the boy to kill (1.4). In one case a boy is a rapist who can win over his future father-in-law, but not his own father (2.3). A boy thrice deemed by the state a *vir fortis* ("military hero") wants to go to battle a fourth time; dad refuses and will disinherit him (1.8). These examples, all from Seneca's collection, mirror the interest of the extant declamations in that peculiar institution of Rome, *patria potestas*, a father's legal power over his son, which endured to the father's death. The military hero, the *vir* whose *virtus* qualifies him as the highest exemplar of his warrior culture, is recalled to the role of obedient child; like the son of the handless man who is asked to act as the killing hands of a debilitated father, he is refused his own agency and returned to the status of child – except that declamation resists this puerilizing oppression. The child is a speaker; he can frame motivation separate from a father's writ. The constraining words of the theme of the declamation like the strict letter of the law of *patria potestas* can be recast and even overturned if the words of the speech show enough virtuosity. Whereas the *vir fortis* figures largely in the plots of the declamations, the real hero is the orator, the advocate who speaks for the dispossessed and whose speech will reunite the allegedly prodigal son and the once stern father.

The declaimers, both the students and the professionals, play at the greatest role in Roman society. They are a Cato or a Cicero defending the state from tyranny, repairing the divided family, winning father back to a more benevolent persona. Declamation is not political in the sense of urging a particular policy or of communicating an ideology (republicanism) alternate to the reality of the rule of the Caesars. Declamation is political in the sense that it imagines the present as the direct and legitimate descendant of traditional Roman values and roles. The orator and the military hero are united in this imaginary scenario, where the son, who represents both, pleads for the approval of his community. Of course, declamation takes place in a ludic space – it is not real, it carries no threat, it trumpets its own fantasy. Above all, declamation indulges in the trope of impersonation (on the rhetorical figure of *fictio personae* see Quint. *Inst.* 9.2.29–37, also 3.8.51; Bloomer 1997c: 57–78). The speaker speaks as a son who in turn may speak as an advocate for his mother. He also takes up a father's and an uncle's perspective, or explores how a freedman, slave, or girl might feel beneath the weight of some injury or calumny. The imagination of other roles, gender, and status serves the imagination of his coming adult role as speaker and advocate.

FURTHER READING

For the Latin texts of our extant declamatory material, see Winterbottom (1974, 1984) and Sussman (1987, 1994a). Fairweather (1981) provides a useful discussion of the elder Seneca and his work. Bonner (1949) has been the fundamental study in English of Roman declamation for over half a century and still provides the best starting point. On ancient criticisms of declamation and its role in the supposed decline of oratory during the imperial period, see Caplan (1944) and Cousin (1967: 127–9), in French. More recent studies, however, offer fresh insights into the social, literary, and educational aspects of declamation; see, for example, Beard (1993), Bloomer (1997a: 212–14, 1997b, 1997c), Kaster (2001), Gunderson (2003), and chapter 6 in this volume. For a thorough account of the relationship between Roman law and declamation, see Dingel (1988), in German. On Hermagoras, see Nadeau (1959) and Barwick (1964), in German. Russell (1983) provides an introduction to Greek declamation.

CHAPTER TWENTY-THREE

Quintilian as Rhetorician and Teacher

Jorge Fernández López

If we had to choose only two authors to provide us with as complete a picture of Roman rhetoric as possible, they would undoubtedly be Cicero and Quintilian. Cicero is often portrayed as the incarnation of Roman eloquence, both as an accomplished orator and as a theorist and historian of rhetoric. Quintilian, on the other hand, provides us with the largest handbook on rhetoric that has survived from antiquity: the *Institutio Oratoria*. The fact that Quintilian's work deals with the entire spectrum of rhetoric's technical aspects in a thorough and systematic way as well as with rhetoric's wider moral, social, and educational contexts makes it still more relevant. He is, moreover, able to make critical judgments on the oratory of the Ciceronian period from a historical perspective; his assessments may well be biased but they nevertheless offer us some fascinating insights. All this makes the *Institutio* a privileged window onto the panorama of ancient rhetoric, an invaluable witness to the ancient perception of ancient literature, and an excellent source for several related issues such as education in the Roman world and the practice of advocacy.

Nevertheless, Quintilian and his *Institutio* have been surprisingly neglected by modern scholarship, and the attention that they have received tends to focus on just a few specific areas: his discussion of pedagogy in book 1, the review of ancient literature in book 10, and his portrait of the ideal orator in book 12 (see Adamietz 1986: 2226). There are two main reasons for this: the sheer length of the *Institutio*, which goes far beyond that of most handbooks (a feature that also led to its limited readership in the Middle Ages; see Ward 1995b), and the post-Romantic discrediting of rhetoric as a discipline that generated the more mechanical and empty ornamental traits of imperial literature. Quintilian's work was viewed within the history of Roman culture mainly as an ardent defense of Ciceronian style against innovations represented by Seneca. It was also regarded as a symptom of the rhetorical excesses that affected literature, as if rhetoric and literature were clearly distinguishable from each other in antiquity.

Biographical Outline

Quintilian (Marcus Fabius Quintilianus) was born in Calagurris (modern Calahorra, Spain) in the Tarraconensis province within a family of rhetoricians around the year 35 CE. He received his education at Rome, where he met famous teachers of the time such as Domitius Afer and Remmius Palaemon. At some point shortly after his formative training Quintilian returned to his native land, where he taught rhetoric probably at Tarraco. From 68 CE Quintilian spent his entire life as a teacher and occasional practitioner of rhetoric in Rome. His professional career was very successful: outstanding members of the Roman elite such as the younger Pliny (*Ep.* 2.14.9, 6.6.3) and the emperor Domitian's grandnephews were among his students (probably also Tacitus and Suetonius), and he was appointed the first public chair of rhetoric by the emperor Vespasian in 78.

Quintilian composed his major work, the *Institutio Oratoria*, after he retired in 88 CE. He devoted two to three years to its composition: it was begun in 93 and published probably in 95. Apart from the *Institutio Oratoria*, several works circulated in antiquity under the name of Quintilian. The first of them is the *De Causis Corruptae Eloquentiae* (*Inst.* 6 *praef.* 3, 8.3.58), which was written immediately before the *Institutio*, where Quintilian seems to have fought against the new anti-classical style represented above all by Seneca. (This work was identified with Tacitus' *Dialogus de Oratoribus* for centuries; see Brink 1994 and Dominik 1997b for ideological coincidences and differences between both works.) In addition, two books that summarized Quintilian's teaching were compiled by some students of his and were then issued without his permission (cf. *Inst.* 1 *praef.* 7). As we shall see below, Quintilian also pleaded occasionally in the courts, although none of his speeches are extant (see 7.2.24). Finally, two collections of declamations, the complete nineteen *Declamationes Maiores* and the fragmentary *Declamationes Minores* have been attributed to Quintilian over the centuries. While he was not the author of these declamations, some of the *minores* were probably linked in some way to his school.

Quintilian was educated by the best teachers in Rome and lived in close contact with individuals of the highest rank. It was to this elite that the *Institutio*, a compendium of his lifelong experience in rhetoric, was addressed, and it is not surprising to find him adopting in it decisive positions on almost every significant rhetorical issue.

The *Institutio Oratoria*: Meaning and Structure

The *Institutio Oratoria* is Quintilian's major work. Its declared goal is to outline the instruction required to produce an orator as close to perfection as possible, drawing on everything written in the field of rhetoric during the previous 500 years. The ideal orator envisioned by Quintilian, however, is not just someone who has mastered all the rhetorical devices but rather is a man who has also acquired a vast knowledge of culture both philosophical and literary, who is gifted with a high moral sense, and who puts this entire legacy to the service of his community through the successful practice of rhetoric in public life (see *Inst.* 12.1.26, where political leadership is mentioned as the ideal orator's supreme function). Quintilian brings new life to Cato the Censor's famous

formula of the *vir bonus dicendi peritus* (“good man skilled in the art of speaking,” 12.1.1), but his ideal also has its roots in Isocrates, includes elements of Stoicism (see Walzer 2003), and is further influenced by Cicero’s rhetorical writings, particularly the dialogue *De Oratore*, which is quoted over sixty times throughout the *Institutio*.

The *Institutio* was arranged by Quintilian in twelve books, each of which is divided into as many as 115 self-contained chapters; modern editions of the Latin text are about 700 pages long. At its most general structural level the *Institutio* can be divided in three parts. The first part covers issues prior to the teaching of rhetoric, mainly early education and the definition of rhetoric (1–3.5). The second section presents the system of rhetoric, which is presented in lengthy discussions organized according to the orator’s five *officia* (“traditional tasks”), a scheme common in other Greek and Roman handbooks and traceable back to Aristotle; these *officia* are *inventio* (3.6–6.5), *dispositio* (7.1–10), *elocutio* (8.1–11.1), *memoria* (11.2) and *actio* (11.3). The third part discusses moral and other aspects concerning the practice of rhetoric in society (12.1–11).

Quintilian’s bold and comprehensive vision for his work encompasses not just rhetoric and its related subjects but also human culture and society in general. Skill in public speaking was the main focus of ancient education; this means that all areas of ancient culture were rhetoricized to some degree. Rhetorical training should be regarded not just as acquisition of knowledge and technique but as a more complex and wide-ranging “process of acculturation” (cf. Habinek 2005: 60–78). Quintilian’s *Institutio* provides modern readers with a sound guide to what he considers the proper process of acculturation that Roman members of the ruling class should undergo.

Such a broad conception obliges Quintilian to define explicitly and carefully what he understands as rhetoric and to place his discipline within the cultural context of his time. It is in book 2 where the issue of how rhetoric should be defined is addressed. Quintilian presents the different views available in the tradition from Plato onward (2.14–15) and aligns himself on the side of those who see in rhetoric something more than a mere art of persuasion. The wording of his definition, according to which rhetoric is *bene dicendi scientia* (“the discipline of speaking well,” 2.15.34; cf. 3.3.12), underlines the moral dimension with which he wishes to endow the discipline and is closely linked with the more extensive treatment of rhetoric and morality to be found in book 12. During the discussion Quintilian explains (2.18) that rhetoric is a “practical” *techne*, that is, one whose essence is “action,” even though it shares traits with two other Aristotelian kinds of *techne*, “theoretical” and “poetic”; he then upholds the position that the subject matter of rhetoric is everything that is submitted to it for speaking (*materiam esse rhetorices iudico omnes res quaecumque ei ad dicendum subiectae erunt*, 2.21.4). He ends book 2 by addressing the question whether rhetoric can also be considered a virtue (2.20). Although Quintilian admits the existence of “wrong” forms of rhetoric, that is, those that are artless, trivial, or morally reprehensible, he maintains that “real” rhetoric, the kind of rhetoric he has in mind, is a virtue – an idea that many even among the philosophers maintain (*sit, ut compluribus etiam philosophorum placet, virtus*, 2.20.1; cf. 8 *praef.* 6).

This conception of rhetoric, undetached from ethics and with its all-inclusive subject matter, cannot avoid the issue of its relationship with philosophy, the other discipline that also devoted itself to the broad fields of knowledge and morals. Here too Quintilian’s conception of the desirable relationship between eloquence and

philosophy is explicitly linked to Cicero's ideal: both disciplines are naturally joined together (1 *praef.* 13) and only the course of history has opened a gap between them. Quintilian takes pains in the proem to book 1 to show that it is philosophers who are on the wrong side of this gap, for the mission he has in mind for his ideal orator (*regere consiliis urbes, fundare legibus, emendare iudiciis*, "to rule cities with his counsel, to give them a firm base with his laws, to correct them with his judgments," 1 *praef.* 10) conflicts with that usually assumed by philosophers. Quintilian is well aware that his battle to bestow cultural and educational hegemony upon rhetoric is a difficult one and he devotes much energy to discrediting philosophers in this crucial opening section of the work. Quintilian's attack is based predominately on two grounds: (1) the very matter of philosophy cannot be the object of a technical discipline since it is something of general interest and even the subject of common conversation (1 *praef.* 16); and (2) philosophers, as they are found now in society, cannot be considered as models of moral behavior no matter what illustrious ancestors they may claim to have (1 *praef.* 15).

Early Education: *Institutio Oratoria*, Book 1

The first book of the *Institutio*, together with the section in book 10 devoted to the readings recommended for the orator-to-be, is the part of Quintilian's work that has attracted a broader interest over the centuries (see Colson 1924). Book 1 does not deal with rhetoric proper but with the initial stages of education prior to the teaching of rhetoric. Here Quintilian has the opportunity to display his positive attitude toward students. From this attitude springs the image of him as a benevolent teacher devoted to his task with an almost sacred zeal (Schwabe 1909: 1859; see Kennedy 1962 for a balanced criticism of enthusiasm toward Quintilian's character).

Since Quintilian's ambitious program aims to leave no aspect of the formation of the perfect orator untouched, his advice starts literally from the cradle: parents must be conscious that their son will be an orator and must act accordingly immediately after birth (1.1.3); nurses, who will spend the most time with the newborn, should be as educated as possible (1.1.4–5); and if well-educated *paedagogi* cannot be found, then they should at least be conscious of their lack of education (1.1.8–9). Quintilian's views have rightly been considered open-minded and relatively innovative, a feature that largely explains his warm reception among modern readers. He advocates ideas and practices that seem to have run counter to long-established usage. Note, for example, what he considers the best way to optimize the early years of education, a period regarded as crucial for shaping many habits and character traits: he insists on the convenience of studying several subjects simultaneously (1.1.12–14), on the benefits of starting school at the earliest possible age and before the traditional age of seven (1.1.15–17), on the need for relaxation and even fun if learning is to be fruitful (1.3.8), on the advantages of good pedagogic material (1.1.24–6), and on the superiority of instruction in schools over private tuition (1.2.1–31). Quintilian also strongly rejects corporal punishment as pointlessly cruel (1.3.13–18) and warns against the possibility of physical abuse that such a frame of violence can foster (1.3.17).

The greater part of book 1 (1.4–9) is devoted to *grammatica* ("grammar"), the educational stage between elementary instruction and rhetorical schooling. This

consisted essentially of the detailed learning of linguistic correctness, both written and spoken, and the technical study of poetry, where Vergil was already established as the most important text. (On the whole grammatical curriculum, see Bonner 1977: 189–249; Fritz 1949 provides a balanced and accurate account of Quintilian’s views and their wider context.) Quintilian is detailed in his exposition even to the point of prolixity; his lavish exemplification provides the modern reader with a wealth of information about many linguistic usages of the time and illustrates the extent to which Latin was not so fixed a language as literary texts suggest. Beyond the minuteness of particular issues Quintilian does articulate a theory of linguistic correctness that corresponds to modern views on the subject and is based on four criteria (1.6.1–3): *ratio*, *vetustas*, *auctoritas*, and *consuetudo*. Quintilian’s preferences give clear preeminence to *consuetudo* – widespread linguistic usage – as the supreme discriminating criterion; this is followed by authority (usages to be found in the “right” writers). On the other hand, analogy, while defended by other critics, must be considered a secondary guide and is often misleading. Quintilian is conscious of the diverse linguistic registers available to a speaker, and the one he draws particular attention to is what we would call the “learned norm,” which is why he defines *consuetudo* as *consensus eruditorum* (“the consensus of the educated,” 1.6.45).

Quintilian finishes the first book of his *Institutio* with a consideration of the other disciplines that the future orator should also learn. Quintilian’s broad conception of rhetoric implies that an orator must be well versed in almost every topic; hence he recommends the study of logic, music (1.10.9–33), and geometry (1.10.34–49). Given the importance of oratorical delivery, Quintilian also recommends the help of other teachers such as actors (1.11.1–15) and gymnastic trainers (1.11.15–19). Such a complete curriculum has much in common with the Greek ideal of the *enkyklios paideia*. Quintilian, however, puts all the emphasis on rhetoric: everything is learned for the sake of an expanded cultural, moral, and philosophical rhetoric that is to replace previous educational ideals. Instead of an all-encompassing *enkyklios paideia* we find a universal rhetoric to which all other disciplines are subordinate.

The System of Rhetoric in the *Institutio*

Preliminary issues: history and basic categories

When book 3 begins, Quintilian has already dealt with the issues prior to the system of rhetoric itself. After a short excursus on the origin and historical development of rhetoric, he delves into the core matter of his work by explaining in order the main categories upon which such a system is built. Quintilian’s initial remarks at this point are typically modest and considerate. First, he warns the reader of the relatively dry nature of the exposition he is about to undertake (3.1.2), although he claims to have incorporated some stylistic embellishments into his prose in an attempt to move away from the approach taken by traditional handbooks (3.1.3). Secondly, he explicitly renounces any claim to doctrinal originality; his aim is to present a careful and balanced selection of material critically chosen from a variety of earlier authors (on Quintilian’s sources see Cousin 1935; Russell 2001: 1.5–8). Quintilian notes, however, that on occasions he will set forth his own position on a particular topic (3.1.22).

After his introduction Quintilian briefly sketches the history of rhetoric (3.1.8–21) by referring to many of the traditional figures: Empedocles as the first writer on rhetoric (according to Aristotle), the quasi-mythical Tisias and Corax, and Gorgias as the “importer” of the discipline into Athens. Quintilian prefers not to linger on what he considers sterile controversies and closes the topic by saying that worrying about the origin of rhetoric need not delay us long (*nec diu nos moretur quaestio quae rhetorices origo sit*, 3.2.1). The issue has already been indirectly touched upon in book 2 (2.17.8), where Quintilian addresses a question that is the subject of modern controversy: is there some kind of rhetoric outside or prior to the traditional account of the discipline? His answer is a clear no: although the art of rhetoric results from a process of observation and gradual deduction of rules (3.2.3) and although persuasive communication is a human universal (3.2.4), as can be attested in Homer (2.17.8), rhetoric (a systematic *techne*) is not the same as oratory, which is a persuasive activity that can be pre-rhetorical or simply nonrhetorical.

After settling these historical matters, Quintilian proceeds to explain the essential sets of categories which comprise the system of rhetoric: the five divisions of rhetoric (3.3), the kinds of cause (3.4), and several others, among which stasis theory (3.6) receives the longest treatment because of its complexity and because here Quintilian makes his own original contribution (see Adamietz 1986: 2260–3; Montefusco 1986). Quintilian adheres to the traditional division in five parts, which recalls Cicero’s authority in the *Partitiones Oratoriae*, but he does mention rhetoricians such as Dio of Prusa, Theodorus of Gadara, and Hermagoras, whose different divisions he does not approve (3.3.8–9).

The *Institutio* as a whole is concerned primarily with forensic oratory. Epideictic and deliberative oratory are dealt with summarily (3.7–8); even though some allusions to these two genres can be found scattered through the work, from this point onward the *genus iudiciale, quod est praecipue multiplex* (“which is particularly complicated,” 3.9.1), constitutes the main concern of the technical part of the work. Accordingly the remainder of book 3 is devoted to other preliminary taxonomies that condition the general structure of a given forensic speech: the types of cause (three “types” not to be mistaken with the three *genera*), the question (*quaestio*), the line of defense (*ratio*), and several others (3.10–11). Quintilian explicitly follows Hermagoras here and also discusses some conceptual quarrels he considers irksome to the point of exclaiming: *verum haec adfectata subtilitas circa nomina rerum ambitiose laboret* (“but these minute affectations about terms for things are pretentious labours!”, 3.11.21); similar discomfort with excessive subtlety is already expressed in 1 *prae*f. 24–5.

Quintilian usually adopts a conservative attitude: he generally aligns himself with the well-established and more widespread categories. Although he admits that there has been some progress in perfecting the system of rhetoric, he regrets that profitable innovations are often mixed with the subversion of established sound principles (3.1.8).

The core of the speech: invention and arrangement

Quintilian devotes over a third of the *Institutio* (more than four books) to the joint analysis of *inventio* (3.6–6.5) and *dispositio* (7.1–10). In his discussion he follows the “natural” order of the different parts of the speech, namely *exordium*, *narratio*,

argumentatio, and *peroratio*, and also considers some subdivisions of these main four as well as transitions between them (although he does in fact introduce some digressions now and then that do not fit neatly into such a scheme). The material is organized in this way for pedagogical reasons, but Quintilian also notes that invention and arrangement, together with *elocutio*, must be conceived as an interrelated whole (3.3.6).

Exordium (4.1) and *narratio* (4.2) are the first parts discussed. They are granted less space than *argumentatio*, which takes up all of book 5, and are presented in a highly conventional way (coincidences with previous sources such as Cicero and *Rhetorica ad Herennium* are especially evident here). Quintilian, however, expresses his own views on several matters, often as a reaction against widespread school practices and what he considers uncritically assumed orthodoxies and inertias. As in other places, Quintilian shows his dislike of excessive taxonomization and subdivision, this time with regard to both *narratio* (4.2.2–3) and *partitio* (4.5.24). He also disapproves of the generally recommended lack of emotional appeal in the *narratio* (4.2.111), since restrained use of pathos is a resource that an orator should always be ready to handle. The book also deals with different possible types of transition between *narratio* and *argumentatio*, namely *digressio* (4.3), *propositio* (4.4), and *partitio* (4.5).

Up to this point Quintilian has not progressed too far in his detailed explanation of the system of rhetoric. However, one of the main principles that determines his course of discussion and that will be pervasive throughout the remainder of the work has already appeared: Quintilian's advice sets as its constant target successful practice in the courts and condemns many trends that, although widely followed, are rooted in the environment of the schools. Every rhetorical device regarded by Quintilian as too colorful, artful, twisted, or flashy is therefore criticized mainly on the basis of its limited ability to persuade. The more technical part of the *Institutio* is thus put implicitly to the service of Quintilian's ideal of rhetoric, not to what is in vogue both at schools and as public entertainment. Quintilian also imparts a moral dimension to what he had declared to be essentially a dry exposition of rules and precepts: by showing that some of the rhetoric practiced by his contemporaries has it "wrong" or is even degenerate, he implies that other related aspects are to be condemned too. In this respect Quintilian displays a rather limited conception of rhetorical effectiveness, for the resources he disapproves of do in fact attain a measure of success within the audience that they target, even if this success is based on applause rather than persuasion.

The importance granted to forensic rhetoric can also be seen in the weight Quintilian gives to *argumentatio*, which fills the whole of book 5 and is one of the longest and most technical discussions in the work. The matter is treated under two main heads: (1) inartificial proofs (5.2–7), that is, external evidence (witnesses, documents, confession extracted through torture, etc.) that is not the result of rhetorical elaboration and is thus foreign to the art (hence *inartificialis*); and (2) artificial proofs (5.8–14) or arguments, which are built according to the rules of the art of rhetoric (and are therefore *artificialis*). Such a distinction can already be found in Aristotle (*Rh.* 1.13–14), but it does not receive much attention from Quintilian's main point of reference, Cicero. The greater part of book 5, however, is devoted to proof within the system of rhetoric, which includes the study of "signs" (arguments

built upon external evidence, 5.9), argumentation through examples (including examples taken from history or poetry, 5.11), and arguments in the true sense of the term (5.10, 5.12, 5.13). Once again Quintilian delves into the doxographical tradition of terminology and, although he refers to the Greek distinction between enthymemes, epicheiremes, and demonstrations, he regards them all as falling within the general concept named in Latin by the term *argumentum* (5.1.1). The issue of *loci* receives detailed discussion in the book (5.10.20–94), but Quintilian uses the term not to designate stock arguments on general subjects but rather in the same sense as in Aristotle (*Rh.* 2.15–30), namely, as argumentative patterns suitable to admit any possible content. The book ends with a new call for practicality (5.14.28–9), at which point Quintilian renews his fight against philosophy (audiences cannot understand the dialectic subtleties of elaborate argumentation) and reminds the reader that there are two other forms of persuasion apart from logic: emotional appeal (*pathos*) and the orator's own personal qualities (*ethos*); these, he claims, are often more effective in the long run.

Having discussed the *exordium*, *narratio*, and *argumentatio*, Quintilian turns in book 6 to address the last of the parts of a speech, the *peroratio*. He has already established that one of rhetoric's aims is to sway the emotions (*movere animos*, 2.17.26), countering the traditional Stoic objection to this technique by claiming that the orator is a *vir bonus* who will never trespass the limits set by *decorum*. The place in a speech where appeals to the emotions can play a significant role is precisely the *peroratio*, and it is for this reason that a good part of book 6 deals with the issue of pathos; it is appropriate then that the preface to the book is a highly emotional text where Quintilian recalls the loss of his wife and his two children (see Leigh 2004). After the preface the book begins with the general characteristics of a *peroratio*, whose main functions are recapitulation and emotional appeal, especially to the judge, for the perspective of the forensic genre is always predominant. This description gives Quintilian the opportunity to insert here one of the parts of the *Institutio* that has drawn considerable attention from modern readers: his discussion of pathos in general (6.2) and of the role of humor and laughter in oratory (6.3). Both chapters largely follow Cicero's treatment of these subjects in *De Oratore* (2.178–290), although Quintilian elaborates in much more detail the issue of wit and humor, lavishly illustrating it with examples drawn primarily from Cicero (see chapter 16).

As with every other rhetorical device, however, Quintilian imposes limits on the use of humor, all of which have to do with one quality that must be safeguarded at all cost: the orator's dignity. That is why the humor used by the orator, like his language, must be that of the elite: he must speak in an elegant and sophisticated way (*dicere urbane*) and avoid obscene jokes (6.3.30). The dose must also be kept within some bounds: too much humor diminishes the orator's *auctoritas*, something that also happens when he makes fun of himself; for then, Quintilian warns, he behaves more like a jester than an orator (6.3.82).

Before ending the book and proceeding to deal with *dispositio*, Quintilian briefly touches on two subjects. First, the need of the orator to be well prepared for the debate (termed the *altercatio*) that will take place after the whole formal speech is delivered (6.4); this feature, he notes, is too frequently neglected in the schools as well as in the handbooks and yet it is fundamental for the outcome of real cases (6.4.6–15). Secondly, the importance of using *iudicium* ("discernment,"

“judgment”) in all the first three parts of a speech (the idea was initially mentioned at the beginning of the treatment of *inventio* at 3.6.6).

With book 6 Quintilian ends the discussion of invention and related matters and proceeds to *dispositio*, the topic of book 7. As Russell (2001: 3.145) points out, book 7 must be understood as “a supplement to book 3” because it deals with the proper line of argument to be followed according to the theory of *staseis* (“issues”) explained earlier. In what is the most technically complex book in the *Institutio*, Quintilian expounds in great detail the types and arrangement of arguments that are most convenient for each “issue,” alluding frequently to their application in practical cases and to the difference between the court and school.

The question of style

One of Quintilian’s main concerns in the *Institutio* is linguistic style. This concern appears in three different forms: (1) in his technical treatment of *elocutio*, the orator’s third *officium* in the traditional system of rhetoric (8.1–11.1); (2) in his passing comments on the different linguistic styles employed both in the past and in his own time; and (3) in the style that he himself employs in the *Institutio*.

Of the five traditional tasks of the orator, *elocutio* has played perhaps the most important role in the history of rhetoric: it was the equation of rhetoric with *elocutio* alone that gave the discipline the bad name it has endured in recent centuries. The topic features prominently in many handbooks and Quintilian devotes to it three books out of the twelve (8, 9, 10). He consciously marks the transition from *dispositio* to *elocutio* with a long preface to book 8 which, after summarizing the main ideas expounded so far, introduces the arduous doctrine of *elocutio*, something that needs more effort and care (*plus exigunt laboris et curae quae secuntur*, 8 *praef.* 13) than the preceding *inventio* and *dispositio*. Quintilian’s conception of rhetoric as something more than a mere craft, however, makes him warn his readers that content is more important than words, notwithstanding the difficulties of mastering *elocutio* (8 *praef.* 18–22).

Quintilian organizes his discussion along the lines of the four virtues every speech should display as far as style is concerned: *Latinitas*, *perspicuitas*, *ornatus*, and *decorum*. *Latinitas* (“linguistic correctness,” 8.1) is granted little space because it has already been dealt with in book 1; *perspicuitas* (“clarity,” 8.2) is defined mainly in negative terms: obscurity must be avoided, and from this clarity will automatically result; *ornatus* (“ornament”) is developed at greatest length, taking up the remainder of book 8 and the whole of 9; and *decorum* (“appropriateness,” 11.1) is dealt with very briefly but is one of the most important concepts in the work, as we will see below.

Quintilian’s first chapters on *ornatus* provide a general approach to the issue: lexical choice (8.3.16–39), merits and faults of style (8.3.40–90), and procedures of amplification and attenuation (8.4) are reviewed. The core of ornament, however, is formed by the discussion of rhetorical figures: tropes (8.6), figures of thought (9.2), and figures of speech (9.3); book 9 ends with a chapter (9.4) devoted to *compositio*, that is to say, the regulation of the syntactical period, including *numerus* (prose rhythm). As usual, Quintilian does not avoid technical complexities and he provides the reader with full surveys and examples, with frequent reference to Vergil, who is second in the *Institutio* only to Cicero in the number of passages quoted from

his works; however, he advocates moderation in the application of taxonomy as well as in the actual use of figures (9.3.100–2).

Quintilian's insistence on the need for practical experience and training reappears here. After his long and detailed review of all the rhetorical figures and devices that *elocutio* requires, he begins book 10 with the affirmation that just knowing them is not enough: *sed haec eloquendi praecepta, sicut cognitioni sunt necessaria, ita non satis ad vim dicendi valent* ("but these rules of style, although they are necessary for theoretical knowledge, are not enough to ensure oratorical power," 10.1.1). The orator's natural abilities and technical knowledge must be complemented by constant exercise (see Montefusco 1996), and the student will gradually acquire mastery of style through imitation of the good authors. Quintilian is conscious, however, that slavish *imitatio* would impede the development of rhetoric – no innovation and no advancement of style would be possible – and that is why he adds the idea of *inventio* (in a general sense, not as the first phase of rhetoric) to *imitatio* (10.2). As Harsting (1998: 1329) points out, "imitation is only a means of acquiring a certain knowledge and certain skills in order to build up a *copia*, i.e., a basis for one's own invention." Invention would then be needed to create a tradition that is established as such by imitation, but that can only grow and survive by means of invention.

It is in this frame of mind that the most famous part of the *Institutio* is introduced by Quintilian (10.1.37–131): his short but complete review of Latin and Greek literature from the beginning to his own time (although living authors are deliberately excluded). Quintilian here is not outlining a canon of Greco-Roman literature from a literary perspective but from the point of view of the contribution that each author can make to the formation of the future orator's style (explicitly stated at 10.1.42). Although general aesthetic judgments do appear time and again, Quintilian's prime concern is always with their utility to the orator. The main idea behind book 10 is, therefore, as Leeman (1963: 311) rightly puts it, to familiarize the future orator with "style in action." Quintilian acknowledges that his canon is limited, for some authors worth reading will be unavoidably excluded (10.1.45), but his general attitude is comprehensive: every author of those who have stood the test of time will be at least of some use to anyone who uses his judgment (*paucos enim vel potius vix ullum ex iis qui vetustatem pertulerunt existimo posse reperiri quin iudicium adhibentibus allaturus sit utilitatis aliquid*, 10.1.40). Quintilian adheres mostly to traditional opinions, trusting often in the authority of Cicero and Horace. Homer (1.10.46–50) is the first author to be considered and receives the expected lavish praise; from there on the rest of Greek literature is discussed (first poetry, then drama, and last of all prose) and this then gives way to Quintilian's appraisal of Roman literature (10.1.85–131).

Quintilian's discussion of Roman prose ends with his well-known criticism of Seneca and his style. The faults that Quintilian finds in Seneca are essentially two: his lack of *iudicium* ("judgment") in what Quintilian calls his *corrupta elocutio* ("depraved style"); and his use of compressed phrases for effect (*minutissimae sententiae*, 10.1.129–30). Quintilian, however, was more worried about Seneca's influence on young imitators, who lacked his talent, than he was with making a direct attack on the philosopher's style. We cannot forget that Seneca appears as the last of the Roman authors considered and he is included as a conspicuous example of a fashionable style that advanced students should be at least acquainted with, not as a model to be imitated (see Laureys 1991).

Quintilian's review of Greek and Roman literature, as well as his treatment of the precepts for *elocutio*, is tightly linked to his own view of the style that was to be practiced in his time. Style is a question of taste, much more so than arrangement or invention. The strength of an argument or a speech's internal coherence creates a persuasive power that works on an essentially logical level. The use of figures and other stylistic features, by contrast, has a persuasive effect that depends much more on changeable tastes. Style is thus potentially a matter for more subjective debate and it generated much heated discussion during the Flavian period. The fact that so much interest was focused on matters of form (rather than content) has been interpreted since antiquity itself as a result of the political constraints imposed by the imperial regime: deliberative oratory was excluded at least to some extent from public space; and rhetorical energy, so to speak, was sublimated within the field of formal expression, of style. This concentration on form, together with the dangers that open discourse implies for dictatorial regimes, would have given rise (it has been argued) to stylistic trends that were complex, self-conscious, and even twisted. (See Rudich 1997 and his idea of a generally "rhetorized mentality" during the empire; also Dominik 1997b: 66.)

Quintilian's position in this respect has been characterized as a reaction against the new triumphant rhetorical styles: an archaizing tendency, on the one hand, and, on the other, the "modern" and affected style that was widespread in the schools and that took Seneca as its model. Quintilian's proposal (see 10.1.43–5, 12.16.58–66) was for a new classicism based largely but critically on the model of Cicero (Leeman 1963: 296–8). But his reaction against what he considered the stylistic vices and excesses of his time has often been overemphasized (see, e.g., Ryland 1911: 855–6, who regards the whole *Institutio* as a "long protest against the tastes of the age"). Nevertheless, Quintilian's attacks on what he considers to be "corrupt eloquence" are vehement enough, even though lamenting the decline of eloquence was a commonplace already by Petronius' time (J. Walker 2000: 94–101). The intensity of his condemnation of school practice, while sincere, can also be seen as part of his battle to replace the standard curriculum with his new vision based on the ideal of the *vir bonus*. There is therefore a clear link between Quintilian's preferred style and the ideal society where his ideal orator would have a place.

As for Quintilian's own style, it is the coherent result of these ideas, of the genre he is writing in, and of his time. The typical prose for a handbook on rhetoric is dry and expository; Quintilian, by contrast, explicitly claims (3.1.3) to have adopted a more refined, elaborate, and occasionally colorful style (even though he is not writing a dialogue or a philosophical work) that includes a moderate use of complex periods (instead of the usual parataxis) and rhetorical figures when the subject matter allows it. Although Cicero is his stylistic model, Quintilian's choice of vocabulary is conditioned by his own time; he is thus not slavishly subject to his model but rather applies his own *iudicium* about what is appropriate in each case.

A coda on style: decorum

The fourth of the virtues of style is, in Russell's (2001: 5.3) words, "the difficult (and almost untranslatable) concept of *decorum*." "Appropriateness" is the most common English rendering and Quintilian grants it the utmost importance since, among all four virtues of *elocutio*, appropriateness is *maxime necessaria* ("the most essential,"

11.1.1). The concept (dealt with in 11.1) bears nonetheless a more general sense than just appropriateness of style to the given circumstances, for it also means “appropriate” or “becoming” at the broadest moral level. Throughout the chapter Quintilian gives abundant examples of cases where *decorum* has been broken, but he eventually admits that *decorum* cannot be taught through precepts: *cuius rei observatio iudicio magis quodam sentiri quam praeceptis tradi potest: quantum satis sit et quantum recipiant aures non habet certam mensuram et quasi pondus...* (“observance of this principle is possible more from instinctive judgment than from taught rules; how much is enough and how much the listeners will accept does not have a precise measurement and weight...,” 11.1.91).

From style Quintilian proceeds to a more general level and presents the idea of *decorum* as the governing rule of all the orator’s actions. Quintilian’s moral concerns are not satisfied by the technical, systematic dimensions of rhetoric. Rhetoric as a system, however powerful, must be a part of a wider whole in order to have true sense and significance. Quintilian finds that sense in something that is outside the system and yet seems to be a part of it, something that can be learned through time but not taught systematically: the idea of *decorum*. This is once again a view that appeals to the aristocratic mentality (compare the definition of linguistic correctness as the *consensus eruditorum*, which is discussed above). Quintilian conceives of rhetoric as something that can be learned and even mastered in its technical aspects but which requires a certain natural talent that he probably regards as the preserve solely of those born within the elite. Moreover, Quintilian emphasizes the moral dimension, which is a matter of *decorum*, that is, of the orator conforming his style, bodily movement, and use of rhetorical devices to the expectations of those who are knowledgeable about these matters and who are good in a moral sense. The *iudicium* every orator is endowed with, as far as he is a *vir bonus*, will ensure his appreciation of what *decorum* prescribes on each occasion (11.1.35).

The Orator in Action

We have seen throughout his discussion of *inventio*, *dispositio*, and *elocutio* that Quintilian repeatedly insists on the relevance of his precepts to actual practice in the courts. It is logical then that he grants the utmost importance to the last of the five traditional rhetorical tasks: delivery (dealt with in 11.3; see too chapter 17). Quintilian adheres to the widespread assumption that mediocre speeches, if well delivered, will be far more effective than the best of speeches poorly performed (11.3.5), something he must have learned from direct experience since he did plead before the court on occasions (Crook 1995: 161–71; Quintilian explains features of his own argumentative practice in 7.1.23–39 and alludes to several cases in which he took part at 9.2.73, 4.1.19, 6.1.39). Quintilian’s most famous case was the defense of Queen Berenice, Titus’ mistress (the precise charge against her is unknown; see Young-Widmaier 2002), and he also admits to having published his speech for a Naevius Arpinus (7.2.24) in a youthful attempt to gain fame.

Quintilian’s great concern with delivery is evident in several parts of the *Institutio*. In book 1, for example, he recommends instruction in acting and gymnastic techniques (1.11.15–19) and in book 12 retirement is recommended precisely on the

grounds of the orator's physical decline (12.11.2). In this area even more than others Quintilian's account (11.3) is the fullest treatment of the subject we can read (Cicero dealt with the matter briefly and unsystematically in *De Or.* 3.213–27 and *Orat.* 55–60), and it is likely that he broke new ground in giving such detailed attention to an area that in other treatises was left to common sense and whose content had never been made fully explicit (see Hall 2004).

Quintilian thus gives detailed discussions of voice (11.3.15–30) and the general qualities of good delivery (11.3.30–65), then proceeds to gesture, where he deals one by one with the different parts of the body: head, face, neck, shoulders, and arms (11.3.65–84). Hands receive a good deal of Quintilian's attention (11.3.85–121; see Maier-Eichhorn 1989), and a discussion of the orator's dress as well as gestures featuring other parts of the body (11.3.137–49) closes the account. Quintilian insists here, as often, on the need for appropriateness and ends by warning: *huius quoque loci clausula sit eadem necesse est quae ceterorum est, regnare maxime modum* ("it is necessary for the conclusion of this topic to also be the same as that which applies to the others: moderation rules," 11.3.181).

There has been some debate about how artificial the rhetorical system of gestures outlined by Quintilian actually was and to what extent it was based on the gestures commonly used in daily life. Some scholars, perhaps misled by the minute detail of Quintilian's account and prescriptions, have claimed that such a system was quite separate from everyday gestural communication and that it could only be learned and mastered through arduous training in rhetorical schools. This view has been rightly contested (for full discussion see Hall 2004, where wide bibliographical reference is provided), and Quintilian's precepts are best regarded as a conscious selection and stylization of everyday Roman nonverbal communication. Such a selection must be based, once again, on the orator's sense of dignity, which implies the rejection of improper bodily movements and gestures, especially those that are conceived of as "effeminate" (11.3.32, 11.3.91). The range of issues for which rhetoric functions as a process of acculturation thus extends even to the orator's awareness of his own "manly" body, a feature that has been fruitfully exploited by gender theorists (see Gunderson 2000: 59–86; also Connolly chapter 7).

The Orator and the Prince

If, as already noted, Quintilian's character has met with general approval from modern readers, his apparent flattery of the emperor Domitian (3.7.9, 4 *praef.* 2–5, 10.1.91–2) has often generated criticism. In fact, his praise of the *princeps* has been interpreted in a variety of ways: some have viewed it as a sincere expression of support for Domitian's regime (e.g., McDermott and Orentzel 1979: 15); others as a perfunctory, thoroughly conventional routine, one virtually unavoidable given the circles in which Quintilian moved (e.g., H. Butler 1920: viii; cf. Kennedy 1969: 110). A more complex picture of Quintilian's relationship with the emperor should take into account several issues that point to a certain intimacy between the rhetor and the successive rulers of the empire.

The first of these issues is Vespasian's attitude toward provincials: as the first Flavian emperor he showed a very active interest in promoting individuals from the western

provinces to high positions in the Roman administration. Vespasian, following Claudius' earlier policy, made a conscious effort to renew the ruling classes by turning to the more Romanized provinces (especially Hispania) for new blood. Moreover, from a narrower political point of view, Hispania (together with other provinces) had aligned itself with Vespasian while the outcome of the conflict between the Flavians and Vitellius was still uncertain (see Tac. *Hist.* 3.53.5, 3.70.5), a factor that no doubt reinforced Vespasian's favorable attitude.

Another affinity between Quintilian's ideas and the Flavians' policies involves philosophy. As has already been discussed, one of Quintilian's main concerns in the programmatic preface to book 1 of the *Institutio* is his battle with philosophers for hegemony over the intellectual and educational scene of the time, and it was Vespasian who took the extreme measure of banishing philosophers from Rome in 71 CE. It should be noted, however, that the philosophers Quintilian has in mind in his discussion were generally not concerned with political matters, while the ones hounded by Vespasian most probably belonged to the anti-tyrannical Stoic tradition and more or less actively opposed the imperial regime.

It should be remembered too that Domitian's despotic persecutions had almost exclusively as their target the senatorial rank, which traditionally opposed imperial absolutism, a group to which Quintilian did not belong. Moreover the Flavians' rule was characterized for decades by its administrative efficiency. Their success in this respect depended heavily on the selection of reliable collaborators from emergent groups, including a provincial like Quintilian. Finally, Domitian's rule had another positive side: the last Flavian emperor led a campaign of solid moral reform that aimed at correcting what was interpreted as present-day decadence and recovering a more or less vague glorious past. This was an idea that Quintilian was likely to approve of since it coincided with his conservative views on the moral situation of contemporary Rome and the aesthetic trends that derived from it.

Although Quintilian's flattering comments on Domitian are hyperbolic, especially the praise of the emperor's poetic skills at *Institutio* 10.1.91–2, and he was rewarded with the *ornamenta consularia*, he is far from servile: he did not dedicate the *Institutio* to the emperor and he limits his praise to the three passages cited above. Moreover, there is little sign of the emperor's influence on the *Institutio*'s general structure, scope, and content. At most Quintilian indulges in a certain political opportunism in his emphatic denunciation of philosophers and his invocation of the morality and literary style of the past.

Quintilian's Message: Rhetoric and Morals

Quintilian's announcement at the beginning of the *Institutio* that his work aims to depict an ideal is repeated at the end, and book 12 is devoted to a portrayal of the consummate orator. Quintilian's ideal has sometimes been the target of criticism on the grounds of anachronism. The imagined orator, even if he could come into existence, could not perform. The highest task expected of him in imperial Rome: active leadership in political life (e.g., Kennedy 1969: 130–2). But other scholars challenge this view and argue that political discourse, including that which took place in the senate, continued to form an essential part of oratory in Roman society

(see chapters 9, 24). In any case, it should be remembered that Quintilian is concerned with an ideal and ideals always bear programmatic implications. In this case the kind of rhetoric outlined in the *Institutio* is a conscious compromise between two conceptions in Quintilian's mind: the best possible rhetoric that could be practiced from a technical point of view (based on sound Ciceronian principles and lacking "modern" decadent elements); and an idealized form of rhetoric designed to assume its deserved hegemony over the educational curriculum and to give rise to a new kind of orator, *Romanus sapiens* ("a Roman wise Man," 12.2.7), who is suited to political leadership because of his moral superiority and unparalleled persuasive ability.

That Quintilian recognized the untimeliness of his proposal (at least partly) is implied by the very last words of the *Institutio*, where he states clearly that the main aim of the *Institutio* is a moral one: *haec erant . . . quibus praecepta dicendi pro virili parte adiuvari posse per nos videbantur, quorum cognitio studiosis iuvenibus si non magnam utilitatem adferet, at certe, quod magis petimus, bonam voluntatem* ("these were the precepts . . . through which it seemed that I might advance, as far as I could, the manly task of speaking; the knowledge of which, even if it does not give the young students much practical help, will at least – which I value more – give him good intentions," 12.11.31). In fact, many of the categories that govern Quintilian's message, even in the application of technical rhetoric, belong to the world of morals: *decorum*, *iudicium*, *consuetudo*, *vir bonus*. The content of such concepts, moreover, is never defined, a fact that opens the way for their use in justifying Quintilian's own more or less whimsical views on matters both great and small (Winterbottom 1998).

It is true, nonetheless, that the more enlightened and "encyclopedic" features of Quintilian's ideal have universal appeal and are linked both to his illustrious ancestors (e.g., Isocrates, Cicero) and offspring; yet part of this universality also derives from Quintilian's response to specific problems of his own time (Winterbottom 1967). His proposed innovative curriculum must be seen within the context of a fight against philosophy for cultural and educational hegemony (Cassin 1995), one that probably took advantage of Domitian's suspicion of the subject.

FURTHER READING

The standard critical text of the *Institutio Oratoria* is that of Winterbottom (1970), now reproduced with minor improvements in the five-volume set of the Loeb collection (Russell 2001), which provides a translation in modern English. Russell's short introductions to each book of the *Institutio* present informative critical summaries of the work's contents and consistently refer the reader to Quintilian's sources (on which Cousin 1935, in French, is still irreplaceable) and to relevant bibliography on each issue. The edition of Cousin (1975–80), in French, is especially helpful for its notes. There are valuable individual commentaries on books 1 (Colson 1924), 10 (Peterson 1891), and 12 (Austin 1948) plus a German edition on book 3 (Adamietz 1966). *Rhetorica* 13.2 and 13.3 (1995), the volumes of Albaladejo, del Río, and Caballero (1998), and Tellegen-Couperus (2003) are all devoted to Quintilian and the *Institutio* and comprise about 150 papers in all. These vary in their length, focus, and interest but together address the *Institutio* from almost every conceivable point of view and refer to a

wealth of bibliography. The chapters by Wuellner and Heath in Porter (1997: 51–119) present an overview of the evolution of arrangement and invention, against which Quintilian's views can be appropriately contextualized. Lausberg (1998) is a classic but much of his material is based explicitly on Quintilian, who often offers additional explanations that synthesize and clarify the material. The transmission of the text is dealt with in detail by Cousin (1975), in French, who can be complemented by Winterbottom (1967). The most comprehensive study of Quintilian's style is Zundel (1981), in German.

CHAPTER TWENTY-FOUR

Tacitus and Pliny on Oratory

William Dominik

The *Dialogus de Oratoribus* of Cornelius Tacitus constitutes one of the most important documents on rhetorical and literary criticism of the imperial age. This work has often been interpreted as a document that argues for, illustrates, or reflects a declining standard of oratory in the first century CE. The following discussion challenges the pessimistic outlook read into the *Dialogus* by examining the rhetorical, cultural, and literary context of the arguments presented by Marcus Aper in favor of contemporary oratory. The validation of Aper's defense of contemporary rhetorical practice extends the opportunity to reevaluate the common trope of oratory's decline in the imperial period. Further contemporary evidence may be brought to bear upon the issue of oratorical decline in the form of the published letters of Gaius Plinius Caecilius Secundus, the younger Pliny, who was a contemporary of Tacitus. In the *Epistles*, composed between 96 and 108 CE (cf. Sherwin-White 1966: 20–41), valuable countermeasures to the notion of rhetorical devolution are found in the highly successful and prestigious oratorical careers enjoyed by Pliny and other members of his circle, including Tacitus; in Pliny's own public reflections upon the state of rhetoric and the development of rhetorical style; and in his first-hand testimony for the status and flourishing of alternate avenues for rhetorical exposition that had come to the fore in the first century.

Tacitus' *Dialogus*

The *Dialogus de Oratoribus* was probably composed during the reign of Nerva (96–8 CE; cf. Murgia 1980; Barnes 1986: 244) or at least before 103 of Trajan's reign (cf. Brink 1994: 251–80). It supposedly constitutes a response to Tacitus' dedicatee Fabius Iustus, consul in 102, whose question about the reasons for the decline of contemporary oratory motivates Tacitus to narrate a debate on the topic he claims to have been witness to during his youth, probably in the mid seventies or earlier.

Tacitus first introduces the subject of the discussion, the alleged decline in oratorical eloquence (1.1–4), then sets the scene (2.1–5.2). A day earlier Curvatus Maternus had recited *Cato*, his new tragedy. Maternus had taken on the role of the younger Cato with such enthusiasm that the tragedy had reportedly offended those in power (2.1). Aper and Iulius Secundus find Maternus in his house with the offending manuscript (3.1). Secundus exhorts Maternus not to be so careless in giving offense and advises that he publish a less dangerous, if inferior, *Cato* by expunging the incriminating passages (3.2). Maternus replies that he will not alter the contents of the *Cato* but will rush to put his final touches on it so that he can turn to the writing of *Thyestes*, a tragedy that will supply whatever he has left unsaid (3.3; cf. 3.4). After this introduction there are three sections, each consisting of two speeches; the first speech argues on behalf of a particular viewpoint, while the second attempts to respond to and refute the points made in it. In the first section Aper and Maternus examine the question whether poetry or oratory is better (5.3–13.6). Aper, who takes the side of oratory, argues for the utility, pleasure, and power of oratory (5.3–10.8). While Aper's goals are those of the Roman aristocracy and form part of a positive portrait of oratory, Maternus' case for poetry (11.1–13.6) is based partly upon a false dichotomy between the two arts (cf. 12.1–5; cf. Dominik 1992).

In the second section Vipstanus Messalla and Marcus Aper debate the merits of past and present oratory. Aper advances the case of contemporary orators (15.1–23.6), while Messalla puts forward the case of the past orators (24.1–27.2). The need for the artist to change with the times is a key theme in the vigorous apology that Aper conducts of contemporary rhetoric in the *Dialogus*. Aper's defense forms a striking contrast to the canon advanced by Tacitus' contemporary Quintilian. The issue of style in the *Dialogus* arises in the course of the discussion on the decline of oratory. The issue of a contemporary decline in the standard of oratory is itself not new, of course, and is debated in the works of writers other than Tacitus. Many modern critics maintain that oratory declined during the imperial period (e.g., G. Williams 1978; Clarke 1996³: 100–8). Admittedly it is easy to claim that there was a decline in eloquence since the Romans and Greeks themselves argued for it (cf. Heldmann 1982: 213–99; Kennedy 1972: 446–64), as evidenced not only in Tacitus (*Dial.* 1.24–41 *passim*) but also in Cicero (*De Off.* 2.67), Petronius (*Sat.* 1–4, 88, 118), the elder Seneca (*Contron.* 1 *praef.* 6–7), the elder Pliny (*HN* 14.2–6), Persius (1.15–18, 32–6, 121), Juvenal (1.1–4, 12–14; 7.105–49), Velleius Paterculus (1.16–18), Quintilian (*Inst.* 10.1.80; cf. 2.4.41), and Longinus (*Subl.* 44).

As this list of writers attests, the decline of oratory was mainly a Roman trope and it provoked a response among the Romans themselves, which in the *Dialogus* is represented in the figure of Aper. But as the *Dialogus* dramatizes, there was much debate and disagreement about whether there was such a decline. How seriously should we take Roman self-evaluations attesting to a decline in eloquence? The various Roman discussions of decline occur in contexts where this traditional trope, deeply etched in the Roman mindset, is brought to bear upon a series of essentially unconnected social, moral, and political issues. The Roman self-evaluations attesting to a decline are seriously undermined since these statements are made with considerable articulacy. Aper makes precisely this point in respect of oratory: he insists that Messalla's predilection for past standards blinds him to his own eloquence and that of his brother, Marcus Aquilius Regulus, who was the archrival of Pliny:

non desinis, Messalla, vetera tantum et antiqua mirari, nostrorum autem temporum studia inridere atque contemnere. nam hunc tuum sermonem saepe excepi, cum oblitus et tuae et fratris tui eloquentiae neminem hoc tempore oratorem esse contenderes <parem> antiquis, eo, credo, audacius, quod malignitatis opinionem non verebaris, cum eam gloriam quam tibi alii concedunt ipse tibi denegares. (Tacitus, *Dialogus* 15.1)

You do not refrain, Messalla, from admiring only what is old and antiquated, while moreover you ridicule and despise the learning of our time. I have often listened to you speak when, forgetting how eloquent you and your brother are, you maintained there was no orator of the present age who could match those of the past. You asserted this all the more boldly, I believe, because you were not afraid of the imputation of jealousy seeing that you were denying to yourself the glory that others concede to you.

Modern commentators have argued that the debate in the *Dialogus* is framed within the context of Tacitus' acceptance of Fabius Iustus' question about the reasons for the decline of contemporary eloquence in comparison with previous ages (e.g., Rudich 1985: 99; Mayer 2001: 31). Some scholars have argued that Tacitus believed that oratory had generally declined or even died (e.g., Kennedy 1972: 517; Deuse 1975: 51–68, esp. 65–8; Luce 1993a: 35; Mayer 2001: 33). It is unlikely, however, that Tacitus accepted that there had been a decline in the standard of contemporary oratory. He does not himself endorse this statement of decline (*Dial.* 1.1), which is particularly thin in content. Furthermore, he (or one of his interlocutors in the *Dialogus*) directly comments upon or implies the eloquence of the five orators mentioned by Quintilian as exemplars of contemporary oratory (*Inst.* 10.1.118–21): Domitius Afer (*Dial.* 13.3, *Ann.* 14.19; cf. *Dial.* 15.3), Iulius Africanus (cf. *Dial.* 15.3), Galerius Trachalus (*Hist.* 1.90), Vibius Crispus (*Dial.* 8.1–3, 13.4), and Secundus (*Dial.* 23.6). Undoubtedly there were bad orators, as evidenced in the historical works of Tacitus, just as there were during the time of Cicero. Afer argues in the *Dialogus* for the relativity of eloquence (16.4–23) and exposes the automatic veneration of the past and the false canonization of its orators (17.6; cf. 25.2). According to Afer there is no real difference between the orators of his day and those of Cicero's; the main difference is in the preference of contemporary audiences for point and elegance (17.1–20.7). The main point he demonstrates is that eloquence does not have a single face (18.3).

The third section of the *Dialogus* begins with Maternus, who has no doubt that the orators of the past were better, interjecting to bring the focus of the discussion back to Fabius Iustus' original question – the reasons for the alleged decline in oratory (27.1–3). Messalla, who has already argued that the orators of the past were better (25.3–26.8), criticizes the rhetorical teaching of his day and maintains that the standard of education has declined (28.1–35.5). During the empire the final stage of a Roman's formal education consisted of declamatory exercises known as *suasoriae* (“deliberations”) and *controversiae* (“disputations”). Messalla, a practicing forensic orator (cf. 15.1), asserts that proper rhetorical training was not based on the fantasies of the declamation school but on real issues (29.1–35.5). Whereas children used to be taught under a disciplined program by experienced orators whom they watched in actual practice (34.1–7), children in the present age are trained in the schools to expound bombastically upon fantastic subjects that bear no connection with the practical issues of everyday life (35.1–5).

Indeed the world of declamation was often violent and spectacular; this atmosphere both reflected and was reinforced by the outbursts of political violence at Rome, including that which occurred during the reigns of the Julio-Claudian and Flavian emperors. *Declamationes*, which required the ability to engage in clever argument, were excellent preparation for the public hall (see chapter 22 on declamation). In this setting rhetoric functioned as a social pastime where orators practiced their skills for intellectual fame and enjoyment. Some orators turned to the public hall in order to display their talents, and the exercises they declaimed were considered by Messalla and other ancient critics often to be too distinct from practical oratory (e.g., Sen. *Ep.* 114; Petron. *Sat.* 1–2). Modern scholars (e.g., Caplan 1944: 162–73), following in the path of these ancient critics, generally condemn the schools that gave rise to public declamations. And yet, despite the criticism of Pliny (*Ep.* 2.14) and his teacher Quintilian (*Inst.* 2.10; cf. *Ep.* 2.14.9) of the *bad* practice of declamation, it is apparent that they hold a high opinion of the utility of declamation in general and its role in rhetorical training (*Ep.* 2.3.5–6; *Inst.* 2.10.1–2, 10.5.14). The popularity of such training is attested in the large number of schools and the large classes (cf. *Ep.* 2.18; *Inst.* 1.2.9–15). Notwithstanding Messalla's criticism, it is apparent that declamatory rhetoric flourished in the schools and in the public halls.

After what is probably a short break in the manuscript, the text resumes with Maternus rebutting Messalla and maintaining in effect that the standard of education and moral decline do not account for the difference in the standard of oratory. Most modern critics claim that Maternus represents the real feelings of Tacitus (e.g., Barwick 1954: 17–18, 23–4, 30; Syme 1958: 111; Kennedy 1972: 518; Luce 1982b: 1014, but not 1993a; cf. Rudich 1985: 99). Maternus argues that great oratory can only exist if subjects of the highest importance are at issue (*Dial.* 36.1–41.5). The political conditions of the republic, with its civil wars and factional conflicts, were most suited to oratorical eloquence (36.1–37.8). In contrast the comparatively peaceful and stable conditions of the empire, with the strong presence of the emperor in the senate, militate against eloquence (cf. 38.2, 39.4–41.5). Cases are no longer about corrupt electioneering practices, provincial extortion, and the murder of fellow citizens (37.4). Maternus' arguments are similar to those adduced in Cicero's *Brutus* about oratory of the highest standard not being possible with the rise of Caesar and fall of the republic (21–38, 45–6, 331–2). In the *Agricola* Tacitus mentions the numerous political trials leading to death or exile under Domitian as a manifestation of the emperor's dominance over senatorial proceedings (45.1–2). Pliny similarly mentions how it was dangerous to express an opinion in the senate and that its function had been reduced mainly to serving as a court in political trials and debating routine matters (*Ep.* 8.14.8–9, 54.4, *Pan.* 76.3; cf. *Ep.* 9.2.2). Maternus' analysis shows that the causal relationship is not just between time and style but also between politics and genre. The entire discussion is notable for its treatment of the influence of the political circumstances of the age upon oratory and the responses of individual orators to the altered social and political conditions. Although the *Dialogus* ostensibly reflects upon the reasons for a decline in oratory, the discussion really explores the aesthetic, political, social, and moral keystones of eloquence. The changed political conditions of the empire cannot easily be separated from the oratory that existed (see chapter 9 on oratory and politics). Perhaps this is one reason why the

Dialogus has often been interpreted as a document that argues for, illustrates, or reflects a declining standard of oratory in the imperial period at Rome.

Closely related to this interpretive stance is the frequently held assumption that Tacitus himself had become disillusioned with the state of oratory and had already abandoned his endeavors in this field for a literary career by the time the *Dialogus* was composed (see e.g., Barwick 1954: 30–1; Syme 1958: 111; Mayer 2001: 8). This conventional view basically is an *argumentum ex silentio* since there is no record of Tacitus practicing oratory after his prosecution along with Pliny of Marius Priscus in 100 CE (*Ep.* 2.11.2). However, it is apparent from Pliny, who describes Tacitus as *eloquentissimus* (2.1.6; cf. 2.11.17), that his reputation as an orator extended beyond 104–5 at least into 106–8, the approximate dates of the publication of *Epistles* 4 and 9 respectively (Sherwin-White 1966: 32–4, 39–41). In book 4 Pliny describes Tacitus as an orator surrounded by *copia studiosorum* (“many students,” 4.13.10); in book 9 Pliny reports that Tacitus replied to a Roman knight who had enquired about his identity, *nosti me, et quidem ex studiis* (“certainly you know me from your studies,” 9.23.3), meaning the knight’s study of legal oratory and possibly Tacitus’ published speeches. Although it is impossible to say whether or not Tacitus still practiced oratory even just as an advocate when this passage was composed, the verb *nosti* suggests that he was still known for his oratorical talent. Whether or not Tacitus abandoned oratory totally, he undertook to write history as a means of expressing himself, while Maternus abandoned legal oratory to write tragedies (cf. *Dial.* 3.4). On the other hand, Pliny could not bring himself to write history since he believed it was incompatible with oratory (*Ep.* 5.8.7–11).

Politics and Oratory

Maternus offers contradictory views of the political situation in his first and second speeches (see Heldmann 1982: 257–86 *passim*; Luce 1993a: 22–5; Bartsch 1994: 106–25) in the *Dialogus de Oratoribus*. In his first speech (*Dial.* 11.1–13.6) Maternus associates the practice of contemporary oratory closely with imperial *delatores* (“informers”) such as Vibius Crispus and Eprius Marcellus (13.3–4), while in his second speech (36.1–41.5) he praises the imperial dispensation that has curbed eloquence. The association between oratory and *delatores* has already been suggested by Aper, whose comments in his first speech (5.3–10.8) can no more be construed as being supportive of *delatores* than those of Maternus. Although the discussion surrounding Crispus and Marcellus conflates moral and rhetorical issues, it is apparent that Aper mainly admires *delatores* as exemplars of oratorical talent and success (cf. *Dial.* 8.1–4). Maternus’ praise of Vespasian in his second speech (41.4) has been read literally as being no less sincere than Pliny’s praise of Trajan early in his reign in the *Panegyricus* or Tacitus’ similar expression on behalf of Maternus during the reign of Nerva (Goldberg 1999: 236–7). However, this view does not give due regard specifically to Maternus’ literary attempts to destabilize imperial authority at the beginning of the *Dialogus* (cf. 2.1, 3.2–4; cf. 10.8) and more generally to Tacitus’ strategy of organizing his text around extremes or opposites and then undercutting or querying these extremes. The *Panegyricus* was delivered around 100 CE and published sometime during the following few

years. Although there is a similar sense of unease about the imperial system in the *Panegyricus* as there is in the *Dialogus*, it is impossible to ascertain which work came first. Whichever did appear first, the link between Maternus' praise of the emperor and Pliny's praise of Trajan arrests.

In his historical writings Tacitus frequently structures his narrative around good and bad moral political extremes and then undermines or at least brings into question the apparent extremism. In the *Annals*, for instance, the younger Seneca is portrayed narratively as being smooth-tongued in eloquence (e.g., 13.2–3) and willing to compromise (e.g., 14.14), but the reader's idea of him is undercut by various opinions expressed about him (e.g., 12.8, 13.42, 14.7, 15.65) and especially his own behavior in the revealing interview with Nero when he abnegates his position of power and privilege at the emperor's court (14.53–4). Nero is alleged throughout the *Annals* to be an incompetent orator and uses Seneca as a ghostwriter (e.g., 13.3, 11; 14.11), yet he is shown to be a competent speaker in this interview and cognizant of the hidden motivation behind Seneca's *secessio* (14.55–6; cf. 14.52). The circumstances are reminiscent both of Thrasea Paetus, whose *secessio* similarly arouses imperial suspicion and eventually contributes to his death (16.21–35 *passim*; Cass. Dio 62.26), and of Maternus, whose rejection of oratory and withdrawal from public affairs (Tac. *Dial.* 3.4–4.2) portends a similar fate. Ironic, or double-edged nuances lie at the heart of Tacitus' speech-making and narrative techniques. In the *Dialogus* this is apparent in Maternus' praise of the emperor as *sapientissimus et unus* ("one man wise before all others," 41.4), which seems tainted with irony, or at least is double-edged (cf., e.g., Köhnken 1973: 32–50, esp. 46; Heldmann 1982: 283; *contra* Mayer 2001: 43–4), given that he appears to have offended the emperor Vespasian by reciting a potentially subversive play praising the younger Cato, the republican opponent of Caesar who had taken his own life rather than live under a dictator, and plans to write a political drama on Thyestes, a mythical tyrant, as mentioned in the introduction of the *Dialogus* (2.1, 3.2–4; cf. 10.8). Maternus may be the same figure who suffered death as a result of offending Vespasian (cf. *Dial.* 13.6; Murgia 1980: 102, 122; Luce 1993a: 24) or possibly the Curiatius Maternus who was executed in 91/2 CE for delivering a practice speech against tyrants under Domitian (Cass. Dio 67.12.5; cf., e.g., Matthiessen 1970; Barnes 1986: 238–44), in which case his death would have served to enhance the irony inherent in his praise of the imperial system. Situations in Tacitus, including the *Dialogus*, are seldom as simple as they first appear.

Nor are they in Pliny. A passage praising Trajan early in the *Panegyricus* reads:

non enim periculum est ne, cum loquar de humanitate, exprobari sibi superbiam credat; cum de frugalitate, luxuriam; cum de clementia, crudelitatem; cum de liberalitate, avaritiam; cum de benignitate, livorem; cum de continentia, libidinem; cum de labore, inertiam; cum de fortitudine, timorem... sed parendum est senatus consulto quod ex utilitate publica placuit, ut consulis voce sub titulo gratiarum agendarum boni principes quae facerent recognoscerent, mali quae facere deberent. (Pliny, *Panegyricus* 3.4, 4.1)

Indeed there is no danger that when I speak of his [Trajan's] humanity he believes himself to be rebuked for arrogance; or that when I talk of his frugality he thinks I mean extravagance, cruelty instead of clemency, extravagance rather than frugality, greed

instead of generosity; or that he presumes spite when I speak of his kindness, wantonness instead of self-control, idleness rather than industry, or fear instead of courage. . . . But now I must obey the decree of the senate, which in the public interest has pronounced that under the title of a vote of thanks good emperors should recollect their own deeds and bad emperors review what their actions ought to be.

On the surface this passage seems to accord with the practice of epideictic, which flourished during the empire, and particularly imperial panegyric. (See chapter 11 for a discussion of this view.) But Pliny combines a number of ideas that resonate far beyond the superficial level of praise. He takes care to assure Trajan that his *laudes* should not be construed to mean exactly the opposite of their literal meaning; stresses that bad emperors were praised for having qualities they did not possess and for deeds they did not perform; and implies that his audience was well versed in interpreting this type of praise. Similarly in the *Epistles* Pliny asserts that imperial panegyric under Trajan is sincere and popular whereas previously such praise was false and the object of hatred (3.18.7); expresses his admiration for the critical sense of his audience at a reading of the *Panegyricus* (3.18.8); and makes clear that the passage cited above is designed to encourage Trajan in his virtues and deeds (3.18.2–3; cf. 10.14), an intention that is reminiscent of the Aristotelian suggestion that eulogy can serve as an exhortation to right action (*Rh.* 1.9.32–8). Elsewhere Pliny flatters Trajan by comparing him favorably with Domitian (*Ep.* 6.2.4, 10.2.3). Likewise Tacitus blandishes Trajan by making the same comparison (*Agr.* 3.1–3, 44.5–45.3) and by declaring that during his reign one is allowed to feel what one wishes and to say what one feels (*Hist.* 1.1). But Tacitus undercuts this assertion by remarking that the kind of praise that involves the claim to be speaking freely was the only form of imperial panegyric still left (*Ann.* 1.8).

Praetor in 93 CE (cf. Plin. *Ep.* 3.11.2, 7.33.4; Tac. *Agr.* 44–5; Cass. Dio 67.13–14) and prefect of the *aerarium militare* from 94–6 (cf. Plin. *Pan.* 95.3), Pliny appears to betray a sense of guilt for the prosperity he enjoyed during the reign of Domitian through his condemnation of the emperor (e.g., *Pan.* 20, 52, 95; *Ep.* 3.9, 4.11, 4.22), numerous authorial asides (e.g., *Pan.* 2.1, 3.4, 53.3–6, 68.6–7, 72.5–7), his apparent sympathy with the opposition to Domitian (e.g., *Ep.* 3.11, *Pan.* 90), his assertion that he was not brought to trial as he should have been under Domitian (*Ep.* 7.27), and his admission in the first person plural that he was among other senators taking part in crime and evil (8.14.9–10). Tacitus, who became praetor and *quindecimvir sacris faciundis* in 88 (*Ann.* 11.11), seems to betray a similar sense of guilt for his advancement under Domitian (cf. *Hist.* 1.1) through his vigorous denunciations of the emperor's memory (e.g., *Agr.* 3, 39–45; *Hist.* 4.2, 68, 86). While Pliny's tributes to Trajan and those of Tacitus in his historical writings are not unlike those composed by poets to Domitian, Pliny urges that his own praises of Trajan's qualities and deeds are to be understood differently from previous imperial panegyric, that is, literally rather than ironically. Whether or not Pliny himself expects his audience to interpret *this* to mean the opposite of what he says, at the very least he suggests the insincerity of the fulsome flattery directed toward Trajan. Why should we construe the implications of Maternus' statement about Domitian in the *Dialogus*, an exceptionally slippery text, any differently from those of Pliny about Trajan in the *Panegyricus*?

Matters of Style

The *Dialogus de Oratoribus* reflects the aesthetic controversies of the imperial age in its choice of style. The style, structure, and diction of the *Dialogus* appear to have been determined partly by the generic requirements for a dialogue on an oratorical or literary theme, as was first suggested by Leo (1898b: 169–88, esp. 172–83). The style recalls Cicero's *De Oratore*, which reports a conversation that took place over thirty years earlier (cf. *De Or.* 1.24–28, *Att.* 4.16.2). In addition, Tacitus' employment of a neo-Ciceronian style, with its balanced syntax, periodic structure, and prose rhythm, to record a conversation taking place a generation earlier has the effect of suggesting a different period of time. But the style of the *Dialogus* probably owes more to aesthetic and political considerations than to generic and temporal factors. The style of the *Dialogus* arguably represents an ironic challenge to the style employed by Quintilian only a few years earlier in the *Institutio* and reveals an awareness of the evolutionary nature of society and the conditions under the principate. The latter is no doubt partly due to the fact that Tacitus brings the insight of a senator, magistrate, orator, and historian to his writing of the *Dialogus*.

The *Dialogus* too bears testimony to the vigorous debate among writers of the principate on matters of style. This is evident especially in the debate between Aper and his scholastic opponents (16.4–23.6). Recent work has challenged the pessimistic outlook read into the *Dialogus* by examining the rhetorical, cultural, and literary context of the arguments presented by Aper in favor of contemporary oratory (e.g., Luce 1993a: 11–38; Champion 1994: 152–63; Dominik 1997b; Goldberg 1999: 224–37; Levene 2004: 157–200). Aper defends a style of expression that in his view reflects the changed attitudes and circumstances of the principate. Some modern critics (e.g., Mayer 2001: 46, 138) argue that Aper's defense of contemporary eloquence is ludic and that essentially he is of the same mind as his opponents. Tacitus mentions in the introduction of the *Dialogus* that one of the characters in the debate, which turns out to be Aper, will take a point of view opposed to that of the other participants (1.4). Later Messalla (15.2; cf. 28.1) and Maternus (16.3–4, 24.2) remark that Aper, in advocating the case for contemporary oratory, has merely taken on the role of an opponent. Critics (e.g., Hass-von Reitzenstein 1970: 27, 131–43; Deuse 1975: 51–68 *passim*; cf. Rudich 1985: 96; Luce 1993a: 18–20) have usually viewed Aper as a pedant, boor, or a devil's advocate in the manner of Cicero's Marcus Antonius (cf. *De Or.* 1.263) and Furius Philus (cf. *Rep.* 3.8), who assent to having taken on this role (*De Or.* 2.40, *Rep.* 3.8); however, at no time does Aper himself admit to the charge. Much has been made of Aper's nondenial of this claim in an attempt to show that he has taken on the role of a counteradvocate presumably for the sake of robust debate (e.g., Luce 1993a: 19 n26; Mayer 2001: 46). But why should Aper specifically deny the charge? His point lies elsewhere. Aper maintains that styles and trends change according to the conditions and prevailing tastes of the age (*Dial.* 18.1–19.5). In arguing against a relativity of standards in style and the idea of a decline in oratorical standards, Aper shows that he is able to view the situation from a historical perspective and sees the necessity of adapting oratory to the requirements of a new age. There is no compelling reason to believe that Aper does not support the case he advances just because the other figures in the dialogue argue a different case.

Aper himself gives no such indication that the views he advances are anything but his own; indeed Tacitus describes Aper's tone as *acrius* ("somewhat passionate," 11). It is significant that his points in defense of contemporary oratory are never refuted by the other speakers. Although Messalla downplays Aper's arguments about the artificial demarcation between ancient and contemporary oratory and the different types of eloquence that exist in any given period and across different ages, he concedes them in principle (e.g., Messalla: 25.1–3; cf. Aper: 16.4–17.6, 18.3). When Aper adduces his opponents Messalla, Maternus, and Secundus as exemplars of contemporary eloquence (15.1, 23.5–6), Messalla essentially replicates the argument by stressing Aper's own eloquence (24.1).

So are we really to disregard Aper's viewpoint about the eloquence of the orators of his own day? There are some important points to consider when examining this question. Given the narrative complexity of Tacitus' works, it would be too simple, not to say misleading, to privilege completely the voices of any of his characters to the complete exclusion of others. Furthermore, since he does not participate in the discussion that takes place in the *Dialogus*, he cannot be *explicitly* associated with any of the views expressed by the actual participants. It is possible, even likely, that Tacitus has offered some of his own opinions in the speeches of Messalla and Maternus and that these different voices reflect his ambivalent feelings. Stylistically the comments of Tacitus are often pointed and memorable, but none more so than Marcus Aper's defense of contemporary rhetoric. It is apparent that Tacitus associated himself with the voice of Aper in some important respects (*contra* Crook 1995: 184). Aper significantly has a larger share of the debate and is delineated more clearly than any of the other interlocutors. The most obvious area of identification between Tacitus and Aper involves their clear preference for oratory and rhetoric over poetry (cf. *Dial.* 5.3–10.8). In addition, given the terse, pointed stylistic qualities of his later prose works, he probably sympathized with Aper's arguments on the necessity of a change in style from Ciceronian extravagance, diffuseness, and redundancy (18.1–20.7, 22.1–23.4), qualities of exuberance upon which even Cicero himself comments in respect of his early style (*Orat.* 107–8). In fact, despite his apparent criticism of Cicero in the *Dialogus* (esp. 22.1–23.1), the arguments that Aper uses in his second speech, where he contends that contemporary oratory is as good as ancient, are based partly upon Cicero's own ideas concerning the development of oratory at Rome in *Brutus* (e.g., 138–64) and *De Oratore* (e.g., 3.28–36). At the beginning of *Dialogus* 22, Aper notes of Cicero:

ad Ciceronem venio, cui eadem pugna cum aequalibus suis fuit quae mihi vobiscum est. illi enim antiquos mirabantur, ipse suorum temporum eloquentiam anteponebat: nec ulla re magis eiusdem aetatis oratores praecurrit quam iudicio. (Tacitus, *Dialogus* 22.1)

I come to Cicero, who had the same battle with his contemporaries that I have with you. While they admired the ancients, he preferred the eloquence of his own time; and he surpasses the orators of his age in judgment more than anything else.

Although Aper promptly proceeds to enumerate Cicero's faults in *Dialogus*, it is important to realize that he is not criticizing Cicero or his style as much as he is stressing its unsuitability for the demands of the current age. Like Cicero (e.g., *De Or.*

3.96–140), Aper realizes that oratory is constantly evolving and progressing (*Dial.* 18.3, 19.2). Aper's defense of contemporary oratory helps to situate the new style in its historical context. The transition from republic to empire exerted a deep and lasting influence on the political consciousness of Romans. It also affected the direction of public and political oratory. Such activity was constrained within the limits imposed by the new political order. Maternus (*Dial.* 37.4–8) and in places even Pliny (*Ep.* 3.20.10, 8.14.8–9; *Pan.* 76.3–4) would have us believe that the senate had been lost as a venue for political debate of the highest stakes under emperors who became progressively authoritarian in their rule. In turn some modern scholars have gone as far as to suggest Tacitus believed that oratory had become politically defunct (e.g., Mayer 2001: 8).

Certainly it is difficult under such circumstances to conceive of the type of deliberative oratory that distinguished moments of political crisis in the republic. Yet, as Pliny and Tacitus themselves attest in their mention of various extortion trials in the senate, the senate was still a place where matters of importance were contested. The trials of Baebius Massa (*Ep.* 7.33; *Agr.* 45.1), of whom Pliny was co-accuser, and Marius Priscus (*Ep.* 2.11.2, 17), whom Pliny and Tacitus jointly prosecuted, are two notable examples. The most sensational cases were political and involved life-and-death issues of treason and conspiracy before emperors such as Vespasian and Domitian. But an orator could also make his mark in the senate during the discussion of more common issues concerned with social legislation, the conferment of honors and privileges, and even senatorial procedure. The long and bitter speeches, heated emotions, and sharp words in the exchange between Eprius Marcellus (cf. *Dial.* 13.4) and the elder Helvidius Priscus in 70 concerning whether the members of a delegation to Vespasian should be chosen by the magistrates or selected by lot (*Hist.* 4.6–8) suggest the high oratory and volatile atmosphere that could attend minor proceedings in the senate. In addition, oratory continued to assume a considerable role in the courts, in the schools, and even an increased role on the public stage. Given the political situation and requirements of the period, it is scarcely surprising that new trends emerged, for the orator and writer were compelled to adapt to the changing circumstances and demands of their age in order to achieve success.

Tacitus seems further to identify himself with Aper through his judgment of the younger Seneca as *viro ingenium amoenum et temporis eius auribus adcommodatum* ("a man whose pleasant talent admirably suited a contemporary audience," *Ann.* 13.3). Consistent with a view that is based mainly upon Quintilian's deprecativ view of Seneca's style (*Inst.* 10.1.125–31; see Dominik 1997b: 50–9), most modern commentators have interpreted this comment disparagingly. As Tacitus perceived, Seneca was expressive of the *Zeitgeist*. People were impatient of the elaborate long-windedness favored by earlier generations (cf. *Dial.* 19.1–5). By his own standards and those of Cicero, to whom in the *Brutus* the real test of oratory is its ability to win the approval of the multitude (183–9), Seneca has met the requirements of a good style. Seneca himself remarks in *Epistles* 114.13: *oratio certam regulam non habet: consuetudo illam civitatis, quae numquam in eodem diu stetit, versat* ("style has no fixed laws; it is changed by the usage of the people, never the same for any length of time"). Aper too demonstrates an awareness that style changes with altered social conditions and is part of a natural process of aesthetic change in popular taste (cf. *Dial.* 18.2–19.5). In the view of Aper, an audience now was more sophisticated

and knowledgeable, with some training in the rudiments of rhetoric (19.5), and therefore demanded a vivid, ornate, epigrammatic style instead of the homoeological, unadorned, and prolix style of a figure like Cicero (20.1–7). It is clear that Aper believes that the preference for the contemporary style among orators represents an improvement in aesthetic standards, not a decline (cf. 19.6). Aper praises the elegance of the contemporary type of oratory (19.5, 20.2–7, 23.5–6) and criticizes specific flaws in earlier styles (21.1–9), including that of Cicero (22.3). The new style was more graceful, elegant and attractive, as preferable over the old style as a house of marble and gold is over one made of stone and bricks (20.7). Aper touches upon some important points here, since the contemporary style, with its use of short, sharp sentences and avoidance of amplification, represents an attempt to overcome what he identifies are some of the shortcomings of the classical Ciceronian style: pleonasm, repetition, and rhetorical profuseness. The contemporary style, with its use of paradox, asymmetry, shock, and novelty was more emotionally direct, abrupt, spontaneous, variable, forceful, lean and immediate than classical Latin. It transcended the old stylistic bounds of the somewhat logical, predictable, symmetrical and copious manner of Ciceronian expression and restored to the Latin language some of the vigor, density and strength of archaic Latin, thereby helping to fulfill the stylistic potential of the language (cf. Hofmann 1963²: esp. 685–838).

Aper attempts to consider oratory in its social, political, and historical contexts. Although Maternus displays an awareness of the political conditions that have given rise to the present state of oratory, he believes that the relative political peace and social cohesion of the empire precludes the possibility of great oratory. Neither Maternus nor Messalla display the same degree of sensitivity as Aper to the social and political conditions that affect oratory and shape its different styles. Indeed this method of criticism for the most part goes unattested in ancient literary criticism. What Aper attempts to explain is the notion of evolution in oratory and the various processes through which it passes. To Aper oratory was, as it was to nearly all Romans, an expression of national life, constantly changing in form, not bound by rigid rules, but responsive to social and political influences, so that it was only in the light of its environment that literature could be fully understood. When there is such a close connection between life and speech, there can be no fixed standards and rules. The new style was both function and product of its age. The differences between the postclassical aesthetic and those of the classical norm cannot be described in absolute terms. While the stylistic qualities of rhetoric in the late first and early second centuries CE reflect a general change in aesthetic sensibilities, the factors responsible for this change defy ready definition and explanation on account of their sociological complexity; however, this shift in aesthetic appears to have been not only a natural extension of the classical norm and an anxious reaction to the influences of the Augustan classical achievement, but also a response to the oppressive political environment and a reflection of changed social conditions, manners, and literary taste. An amalgam of aforementioned factors resulted in a turning away from classical propriety and rigid generic categories and aided in the development of a complex, ornate, and paratactic style whose appeal depended on the finely tuned rhetorical sensibilities of a contemporary audience, which looked for and expected precisely this kind of discourse. In place of Ciceronian correctness, harmony, proportion, fullness, and rhythm, contemporary audiences developed a predilection for

incongruity, discordance, disproportion, and point. The postclassical style of expression was an index of the new attitudes produced by the altered social and political circumstances of the empire.

Our own assessment of Tacitean style would be radically different if we were to possess only the *Dialogus*. The arguments of Aper in the *Dialogus* serve as a strong defense of contemporary oratory and in the process challenge the notion of a decline in eloquence. Tacitus, like Aper, realized language must change not only to prosper but to survive, as his own works bear witness. The popularity of the Tacitean style is evident in that it immediately established itself alongside Sallust as a model of historical writing in place of Livy and Caesar, who were known for their period-building. The pointed style of his *Histories* and *Annals* is probably as much a response to the expansiveness of the neo-Ciceronian style employed in his *Dialogus* as it is an exemplification of the style required for a historical work. Tacitus most likely identifies more with the arguments of Aper on the issue of style than those of any other figure in the *Dialogus* and thereby refutes the notion of a decline in the standard of oratory. To Tacitus, as attested in the comments of Aper and in his own style in the *Histories* and the *Annals*, this new style was a better way of reflecting upon contemporary society than the classical style. While Pliny's style in the *Panegyricus*, published probably after 100 CE, represents an evolution in style from the first couple of books of the *Epistles*, published in 98–100 (see Sherwin-White 1966: 30), it also exhibits signs of *Kunstsprache*, or florid speech, required for imperial panegyric (cf. *Ep.* 3.13.3–4, 3.18.10); as with the works of Tacitus, the stylistic differences cannot be explained by evolutionary or generic factors alone. Not only did individual orators and writers such as Tacitus and Pliny employ different styles according to their stage of development and sometimes according to their particular subjects, but there was also a wide and diverse range of styles in common usage in the first place.

The Case of Pliny

The younger Pliny provides a notable parallel to Tacitus in his discussion of the practice of contemporary oratory, especially but not exclusively in the centumviral court, which was mainly concerned with property and inheritance disputes. In the *Dialogus* Maternus finds fault with the dress of the advocates, the time limits on pleading, and the small audiences in the court (39.1–3). Pliny complains in his *Epistles* about the tedium of cases (2.14.1–2), the inexperience of young advocates appearing before the bench (2.14.2–4; cf. 8.23.3), and the audiences hired to support the litigants (2.14.4–13). On the whole these remarks seem to reflect the state of courtroom practice rather than to constitute an explicit condemnation of contemporary oratory. Elsewhere Pliny mentions that he has pleaded some noteworthy and important causes (5.8.6). This positive observation is strengthened by references to the high regard in which oratory was held in the courts (e.g., 4.16) and senate (9.23.1–2). It is also reinforced by the comments of Aper, whom Tacitus uses to suggest the popularity and vigor of oratory in the centumviral court (*Dial.* 20.3–4). In the *Epistles* Pliny is so moved after a three-day reading of his *Panegyricus* that he attributes the enthusiasm of his audience to the revived state of oratory (3.18.4–6).

Indeed a discussion of Pliny's career as a successful practicing orator provides a counterweight to the Roman and modern views of a decline in oratory. Pliny describes numerous examples that attest to the thriving practice of oratory in the late first and early second centuries CE. The type and range of his oratorical activities demonstrate the large number of opportunities available during this period. Like Tacitus, Pliny was one of the leading orators of the age. In his *Epistles* he refers specifically to twenty-seven speeches that he had given between 79/80 and 108 in the Forum (5.8.8), senate houses, and criminal courts (1.8.2–17; 1.18.3–5; 2.11.1–24; 3.9.1–37; 3.13.1–5, 3.18.1–10; 4.9.1–23; 5.20.1–7, 6.5.1–7, 6.13.1–6, 7.6.1–14, 7.10.1–3; 7.6.7–13; 7.33.4–10; 9.13.1–26; 8.14.1–26 *passim*), the centumviral court (1.5.4–7; 4.16.1–3; 4.17.1–11; 4.24.1–4; 5.9.1–7; 6.12.2–5; 6.33.1–11), and unnamed venues (1.5.11; 1.20.14–16; 2.5.1–12; 5.12.1–4; 6.18.1–3; 6.23.1–5; 7.12.1–6; 9.28.5). Moreover, about one-third of the 248 private letters of Pliny (excluding the correspondence with Trajan in book 10) allude to oratory in some form, including its practice in the form of senatorial debates and prosecutions (e.g., 1.5; 3.9). Many of these letters also are concerned with less formal matters such as exchanging advice with colleagues and friends on the content and style of speeches (e.g., 1.2; 1.8; 6.33.1, 11; 7.9; 7.12; 8.3; 9.4; 9.26.5–6, 13; cf. 8.19.2). One of these letters, addressed to his close friend Voconius Romanus (cf. 2.13.4–5), seeks corrections on the arrangement, transitions, figures of speech, and style of the *Panegyricus* not long after it was delivered before Trajan (3.13). Another letter, addressed to Tacitus, with whom Pliny exchanges advice on a number of occasions (e.g., 1.20, esp. 24–5; 8.7), makes reference to suggested alterations to a book that may be the *Dialogus* (7.20.1). These and other letters bear testimony to Pliny's success and incessant activity as an orator.

Among the more notable speeches Pliny mentions are those he delivered in five extortion trials in the senate (1.7, 2.11, 3.4, 4.9, 5.20), three of which involved him representing provinces against their former governors; five-hour (2.11.14) and seven-hour (4.16) speeches before a centumviral court in the Basilica Iulia; and a speech before all four panels of the court (4.24), which was evidently a rare occurrence. Another speech mentioned by Pliny before the four panels of the centumviral court was delivered in defense of Attia Variola in 106/7 (6.33). The case is noteworthy not just for the eloquence that Pliny ascribes to it (6.33.1, 7–11) but also for the public interest generated by the case:

sedebant centum et octoginta iudices (tot enim quattuor consiliis colliguntur), ingens utrimque advocatio et numerosa subsellia, praeterea densa circumstantium corona latisimum iudicium multiplici circulo ambibat. ad hoc stipatum tribunal, atque etiam ex superiore basilicae parte qua feminae qua viri et audiendi (quod difficile) et (quod facile) visendi studio imminebant. magna expectatio patrum, magna filiarum, magna etiam novercarum. (Pliny, *Epistulae* 6.33.3–5)

One hundred and eighty judges were sitting, the number for the four panels gathered together. There was a multitude of advocates on each side; the numerous seats were occupied; and furthermore a dense ring of bystanders filled the large courtroom to a depth of several rows. The bench was also closely packed; even the upper galleries of the basilica were filled with women and men leaning over in their eagerness to hear, which was difficult, although seeing was easy. The anticipation of fathers, daughters, and even stepmothers was immense.

This scene in the Basilica Iulia, packed with judges, lawyers, supporters, and onlookers, bears testimony to the drama that sometimes accompanied proceedings of the centumviral court. Nor was the crowded courtroom and interest created by the case an isolated occurrence. When he spoke for five hours at the public trial of Marius Priscus before the emperor, the seriousness, rumors, and expectation of the case attracted an especially large audience (2.11). On the occasion Pliny spoke for seven hours, the courtroom was so crowded that he had to take his place by way of the judges' bench (4.16.1); the audience included a young man whose tunic had been torn presumably in the jostling for a good vantage point from which to listen to the proceedings (4.16.2–3). These scenes are reminiscent of descriptions of proceedings by other writers, for example, Martial, who describes the large crowd gathered to hear and applaud Regulus as he pleaded in the centumviral court (6.38.1–6).

Pliny mentions almost sixty speakers in his *Epistles* contemporaneous with him. These include friends and rivals in the senate and courts. From the *Epistles* it is apparent that most of Pliny's cases were undertaken on behalf of friends and others who had asked him to plead on their behalf (cf. 2.14.14). Pliny mentions approvingly some of the speeches delivered by Tacitus, namely his eulogy of Verginius Rufus at his funeral in 97 CE (2.1.6) and his prosecution along with Regulus of Marius Priscus, a proconsul of Africa, for extortion in 100 (2.11.2, 17). Aper associates Regulus with *eloquentia* in the *Dialogus* (15.1). Pliny's relationship with Regulus seems marked by personal enmity, as suggested in the numerous spiteful references he makes to Regulus and his conduct (e.g., *Ep.* 1.5.14, 2.20). This enmity may account for Pliny's willingness to recount Herennius Senecio's opinion of Regulus as an orator who was *vir malus dicendi imperitus* ("a bad man unskilled in speaking," 4.7.5), the reverse of the elder Cato's *vir bonus dicendi peritus* ("a good man skilled in speaking," Quint. *Inst.* 12.1.1; Sen. *Controv.* 1 *praef.* 9; cf. Quint. *Inst.* 1 *praef.* 9; Cic. *De Or.* 2.85). Nevertheless, not only did Regulus' career flourish, but Pliny also acknowledges his *eloquentia* (*Ep.* 1.5.2) and appeared with him in some cases (6.2.3). Pliny speaks highly of the oratorical abilities of friends and rivals at Rome and in the provinces such as Salvius Liberalis (2.11.17, 3.9.36), who opposed Pliny in two extortion trials (2.11, 3.9); Voconius Romanus (2.13.6–7); Lucceius Albinus (3.9.7; 4.9.13), co-attorney along with Pliny in the cases of Classicus (3.9) and Iulius Bassus (4.9); and Fuscus Salinator and Ummidius Quadratus (6.11.1–3), whom Pliny taught and mentored (cf. 6.11.3).

In addition to undertaking cases of friends, cases that no one else would take on, and those that establish a legal precedent, Pliny maintains that the orator should take on cases that bring the speaker fame and distinction (*Ep.* 6.29.1–3). In the *Dialogus* Aper similarly mentions oratory as a vehicle for protecting friends, helping clients, and rescuing those in dangerous situations (5.5), which could also prove perilous to the orator pleading on their behalf if in his outspokenness he offended those in power (10.8). Aper also mentions that oratory is also useful for striking fear and terror into one's enemies (5.5), but this last type of case is something that Pliny generally avoids, as his failure to prosecute Regulus shows (cf. *Ep.* 1.5, esp. 15–17; 13.2, 4). Aper cites the contexts for his practice of oratory as the criminal trial, the centumviral court, and the emperor's presence (*Dial.* 7.1). Although Pliny often spoke in the senate before the emperor (cf. *Ep.* 2.11.11), he

pleaded only a small number of cases there, a fact that seems to reflect his lack of enthusiasm for prosecuting his fellow senators. He does praise the eloquence of speakers who distinguished themselves in the senate such as Satrius Rufus (1.5.11), Catus Fronto (2.11.18, 4.9.15, 6.13.3; cf. 2.11.3), Claudius Restitutus (3.9.16), Pomponius Rufus (4.9.3), Herennius Pollio (4.9.14), Marcus Iunius Homullus (4.9.15, 5.20.6), and Gaius Avidius Nigrinus (5.20.6). The situation in the courts, however, seems to have been much more conducive to Pliny. While the *Epistles* illustrate that he was extremely busy (cf. 8.9), it is apparent in the *Dialogus* that Maternus would have more pleading than he could handle if he were to devote himself to oratory (3.4). Juvenal (16.42–3) and Martial (2.64.7) also allude to the frequent activity of the law courts. Pliny notes appreciatively Martial's praise of his work in the centumviral court (*Ep.* 3.21; cf. Mart. 10.19). Elsewhere Pliny cites speakers known for their eloquence in the courts such as Pompeius Saturninus (*Ep.* 1.16.1–4), the elder Erucius Clarus (2.9.4), Catus Fronto (2.11.18), and Gaius Fannius (5.5.1). But his praise is not limited to the eloquence of the orator in the senate and courts, for he also praises rhetoricians and philosophers such as Euphrates (1.10.5), Iulius Genitor (3.3.6), and Isaeus (2.3.1–7). Pliny's citation of the sophist Isaeus is noteworthy not only for its emphasis upon his eloquence but also the enjoyment derived from the practice of declamation in the schools and public halls. An account of the eloquence and the pleasure derived from oratory in the recitation hall is contained in Pliny's glowing account of the reading of a poem by Calpurnius Piso (5.1.1–4). Pliny even recited short poems at his own house over two days while still engaged in court work (8.21). Another important outlet for the orator was publishing (cf. 5.8.6), as shown by Pliny's numerous references to the publication of his speeches (e.g., 1.2.5–6, 2.5, 5.12, 5.20.2).

Epilogue

Tacitus and Pliny provide valuable evidence for the status and vibrancy of oratory during the imperial period and the high esteem in which it was held. Roman citizens flocked to the courts and public halls and students were eager to attend schools by renowned orators. Despite Maternus' repudiation of oratory (*Dial.* 11.1–13.6), which represents a betrayal of the class obligations outlined by Aper (5.4) and Quintilian (*Inst.* 12.7.1–4) for the Roman aristocracy, its practical role in helping the engaged public figure to attain fame and meet his social obligations ensured its popularity. For Aper oratory is still the best instrument with which to defend oneself and to attack others in the courts, senate, and before the emperor (*Dial.* 5.6). The acculturative function of rhetorical education cannot be overestimated, for it was in the courts, schools, and public halls that aspiring orators learned the mode of self-presentation and oratorical skills expected of the elite classes. Even with the changed role of political oratory under the emperors, oratory continued to dominate the social and political landscape of Rome. As a cultural institution oratory was above all a form of social and political power. The career and letters of Pliny vividly illustrate the means by which the elite publicly defined their status, empowered themselves, defended their position, and transmitted their values within Roman society.

FURTHER READING

The bibliography on Tacitus and the *Dialogus* is vast, whereas for Pliny's *Epistles* it is relatively limited. The modern works cited in this chapter will refer readers to a host of other valuable material, much of it contentious. Parks (1945) is still a useful discussion of oratory in the courts and schools under the empire. Crook (1995) discusses the role of legal advocacy in the Roman world. For the Latin text and English translations of the *Dialogus* and *Epistles*, see Hutton and Peterson (1970) and Radice (1969) respectively.

CHAPTER TWENTY-FIVE

Rhetoric and the Second Sophistic

Graham Anderson

A chapter on imperial Greek rhetoric in a volume on Roman rhetoric is essential. We take for granted the early Roman feeling of inferiority to the Greeks in the whole area of public speaking, which is reflected in Anchises' acknowledgment that others *orabunt causas melius* ("will plead their causes better," Verg. *Aen.* 6.849). Other chapters in this volume examine the gradual integration of Greek Hellenistic rhetoric into the educational and political structures of republican Rome (see chapters 3, 13, 21). By the end of the second century CE rhetoric was firmly established in the life of the Roman elite; and the city itself, as the locus of political and economic power in the Mediterranean, had a role to play in the cultural developments of the time, both in the Greek and Latin languages. Philostratus, an Athenian literary grandee of the Severan age, coined the term Second Sophistic in the early third century CE to apply to the self-styled sophists of his own time and much of the two centuries previous. He presents in his *Vitae Sophistarum* (*Lives of the Sophists*) an impression of self-confident display orators in the context of revitalized Hellenism, and that picture has to be understood as a contribution to Greco-Roman culture in its own right.

Current scholarship on the Second Sophistic has tended to connect it with a variety of agendas which are cultural in the broadest sense rather than directly concerned with rhetorical performance. Yet it is that very rhetorical performance itself which for Philostratus lies at the center of the activities of sophists in the imperial period; and it was to denote them that he coined the term in the first place. There is room for some discussion about the nuance of the word "sophist" itself in this latter-day context: it clearly confers an air of authority (whether well or ill deserved), and implies the ability to perform extempore declamation in front of any person or persons from the emperor down to a class of pupils. It can still be argued that the word is really redundant if it can readily be replaced with "epideictic orator" or that the sense of "teacher" is the predominating emphasis (Brunt 1994: 33). There is certainly something in this, carrying as it does the accusation of "grade inflation" and self-promotion for the term sophist, to say nothing of a somewhat facile link with the

sophists of the Athenian golden age. But that gives us all the more reason to think that a sound rhetorician's instinct rather than simple ignorance of intervening literary history would have informed Philostratus' coinage of the term, and so Brunt cannot really remove the authenticity or convenience of "Second Sophistic" as a late antique term. It smacks of the glibly self-promoting performer, though exceptions are not too hard to find. Modern analogies are limited and sometimes misleading, but the notion of an "academic" media star with a commanding presence comes close, not least in its grandiose vagueness. Current presenters of cult-status historical documentaries such as Simon Schama, David Starkie, or Michael Wood perhaps come closest to this in our own experience. But they may use scriptwriters, authentic locations, and the machinery of modern media. The ancient sophist, however, did not stand at the site of Marathon reading an autocue: he had to transport Marathon to a live classroom, theater or audience-hall: in other words, he had to be not a stand-up comedian but a stand-up scholar and cultural entertainer.

Narrating Performance: Philostratus' *Lives of the Sophists*

As it happens we have no Quintilian to present a formal method of specifically "sophistic" rhetoric. We do however possess a number of resources that suggest some idea of how the technicalities of teaching in Greek rhetorical schools must have been done: one thinks of Apsines, Hermogenes, or the pseudo-Menander *Peri Epi-deiktikon*, but little in what they present is more than incidentally new, such as Apsines on *prokatastasis* ("introduction"), for example, or the extension in the number of *staseis* ("issues") as known to Hermogenes. Nor indeed does anything tend to emerge from rhetorical treatises that is more than incidentally "sophistic" as such: any public speaker in any branch of oratory would have been expected to go through much the same mill. Philostratus rather performs the role of a latter-day elder Seneca in Greek: he attends performances or digests the gossip, in this instance for several generations back, to evoke the atmosphere of individual sophistic personalities and performances. Technical arguments he occasionally touches upon, and he assumes that his reader is familiar with both the repertoire and techniques of the *melete* ("practice declamation"); but his substantial and unique contribution is more often to give us a sense of anticipation before a performance, or the reaction of an individual or a group afterwards. We have at least an approach here to the atmosphere of sophistic rhetoric: a sense of theater, a sense of occasion, from the great and the good.

We can point to other perspectives on performances, especially from Lucian and Aelius Aristides: the latter offers a substantial version of the standard repertoire from one individual at the distinctly serious and ponderous end of the market; Lucian gives us a sarcastic exposé of the mavericks at the other end. His satires, especially the *Rhetorum Praeceptor*, can expose the lowest common denominator of crowd-pleasing allied to only the faintest pretense of real erudition. But from the available surviving examples of declamation, we should bear in mind that we may well have an unrepresentative sample: a large proportion of Aristides' oeuvre has survived, but very little indeed of other second-century authors in declamation form (we have a few such pieces from Lucian, two attributed to Antonius Polemo, and one disputed attribution to the allegedly superlative Herodes Atticus himself). The enormous oeuvre of

Libanius in the fourth century affords probably the best idea of the full range of a practicing sophist's activities; the second-century material seems much too little to enable us to place Aristides' work with any confidence in relation to the rest. And we must always bear in mind that we are permanently deaf to the effect that any second-century audience would have been able to take for granted – the actual sound of the individual declaimer in delivery.

Some progress can be made, and has been, in the efforts to understand Philostratus' technical vocabulary: it can be related, at least up to a point, to illustrations in the works of the sophist Hermogenes of Tarsus, the author of influential work on the theory of *stasis* among other concepts (Heath 1995; Rutherford 1998). Hermogenes alludes to few of his fellow sophists, but does treat Aelius Aristides and Nicostratus; and the former's own works, like those of Libanius two centuries later, offer ample illustration of *stasis* in action.

It is misleading to imagine that all that survives is “mere rhetoric,” or that pieces drawing heavily on rhetorical techniques could not engage one way or another with social and political realities. We have at least some evidence that Aelius Aristides and his kind could make a moving speech in favor of urban restoration after the real enough disaster of an earthquake, for example. Philostratus actually alludes to Aristides' appeal to Marcus Aurelius after the Smyrna earthquake (*VS* 582). But it is worthwhile to note a performance by a contemporary pro-sophistic performer after an earlier earthquake, that of Rhodes circa 142 CE (*Or.* 25). Whether or not by Aristides, this speech certainly suggests an attempt to make bricks out of sophistic straw:

νῦν δὲ οἴχεται μὲν κάλλη λιμένων, πέπτωκε δὲ στεφάνων ὁ κάλλιστος, ἱερὰ δὲ ἀγαλμάτων ἔρημα καὶ βωμοὶ θυσιῶν, κενοὶ δὲ δρόμοι καὶ θέατρα ἀνδρῶν· οἱ δὲ νεώσοικοι ποῦ γῆς ἢ θαλάττης ἐγένοντο οὐδ' ἂν εἰς εἰκάσειε τῶν οὐκ εἰδότες πρόσθεν· ὁ δ' εἰκόνων ἀμφοτέρων ἀνύθητος ἀριθμὸς ὁμοῦ ταῖς πέτραις καὶ τοῖς λειψάνοις τῶν διαφθαρέντων σωμάτων ἀναπύρται καὶ διέσπαρται· οἴχεται δ' ἐλέφας καὶ χρυσὸς τῆς τέχνης δεύτερος· οἱ δ' ἀνέχοντες τὰ λάφυρα ἐκασταχοῦ τοίχοι τῷ κόσμῳ συναπολώλασιν· ὅσα δ' ἦν ξίφη καὶ δόρατα τῶν λαφύρων, ταῦτα ἀπὸ μὲν τῶν πολεμίων δεῦρο ἐκομίσθη, ἐν δὲ τοῖς κακοῖς ἐνταῦθα προσελύμανται τοὺς παραπίπτοντας, ὥς ἂν μάλιστα λάβοι συμφορᾶς περισσίαν... νῦν δὲ τίς οὕτως ἢ λόγος ἔστιν ἰσχυρὸς ἢ σοφιστῆς ἄκρος ἢ διαρκὴς ὅστις ἂν ἀξίως καταθρηνήσειε τὰ παρόντα; (Aristides, *Orationes* 25.9–18)

But now the beauty of the harbours is no more; the most beautiful crown has fallen; the temples are stripped bare of statues, the altars have lost their sacrifices; there are no men to fill the streets and theaters; no one who had not known where they were beforehand would be able to guess where on earth or sea the docks were. The immense number of statues of gods or men has been mingled with and scattered among the stones and the remnants of decomposed corpses. Gone are the ivory and gold, less precious even than the artistry that worked them; the walls that everywhere displayed their trophies are destroyed along with the trophies that adorned them; and all the swords and spears in the trophies, brought here from the enemy, injured those who fell against them in the present disaster to add even more misfortune... But now what speech is so powerful or what sophist so fine or so able as to mourn worthily for what has happened now?

And so on. The speaker does evoke the miseries of the Rhodians following the natural disaster, but only after a fashion. There is also a very strong sensation of recycling the

standard repertoire of *ecphrasis*, the preliminary exercise dealing with formal description of anything. And the writer seems to be short on immediate remedies, in spite of occasional allusion to the resilience of the Rhodians. The legendary and historical parallels, to the destruction of Troy or the abandonment of Athens before the Persians, seem hardly helpful, however evocative they might have been outside the context of a real disaster. In particular the reference to decomposing corpses may also seem – to our ears at any rate – misplaced amid the rhetorical debris that surrounds it. Aristides seems too concerned with the speaker's not being able to do justice to the scene, and the material worth of what has been lost, to show much concern for the real disaster.

In viewing Second Sophistic rhetoric from a Roman perspective, we cannot do better than look at the younger Pliny's impression of the sophist Isaeus, specifically included in the canon of sophists by Philostratus himself: he appears to perform in Rome exactly as Philostratus expects sophists to do, and with the same effect. We might feel we know Pliny as a less than flamboyant individual, not always given to wild enthusiasm. Yet he shows no lack of admiration for the oral display he has just heard:

poscit controversias plures; electionem auditoribus permittit, saepe etiam partes; surgit amicitur incipit; statim omnia ac paene pariter ad manum, sensus reconditi occurrant, verba – sed qualia! – quaesita et exulta. multa lectio in subitis, multa scriptio elucet. prohoemiatur apte, narrat aperte, pugnat acriter, colligit fortiter, ornat excelsae. postremo docet delectat adficit; quid maxime, dubites. crebra ἐνθυμήματα crebri syllogismi, circumscripti et effecti, quod stilo quoque adsequi magnum est. incredibilis memoria: repetit altius quae dixit ex tempore, ne verbo quidem labitur. ad tantam ἔξω studio et exercitatione pervenit; nam diebus et noctibus nihil aliud agit nihil audit nihil loquitur. (Pliny, *Epistulae* 2.3.2–4)

He asks for several *controversia*-themes, allows the audience to choose from them, often even which side he is to take; then he stands up, puts on his cloak, and begins; at once he has almost every point equally at his fingertips; hidden implications suggest themselves again and again, and his extraordinary language is finely chosen and polished. A great deal of reading, a great deal of written practice shines forth from his improvisation. He offers suitable preamble, sets out the facts of the case plainly, argues incisively, makes competing deductions, and gives us sublime oratory. To sum up: he instructs, he entertains, he reaches the emotions: it is hard to determine which he does best. The rhetorical figures and syllogisms come in profusion, as if worked to perfection, no easy task even in writing. He has an amazing memory, and he can repeat word perfect what he has said extempore – such technique he has attained by applying himself and practicing constantly; for day and night he does nothing else: he neither listens to nor speaks anything else.

As a practiced and accomplished forensic orator in his own right, capable of delivering even a nearly five-hour performance in the presence of an emperor, Pliny knows the game as well as any. He has an eye for the skill of the performer on the platform, and is suitably impressed by the equipment of the speaker for extempore delivery; he has an ear for verbal and argumentative devices in the preferred archaizing style of a second language; and the information about memory must be either from report or from more than one hearing. Well might he indicate the full-time preoccupation devoted to so exacting an art.

Moreover comparison with Philostratus' own account of Isaeus does suggest at least a degree of convergence with Pliny. The author of the *Lives of the Sophists* quotes verbatim the summing up of a complex scenario: Python of Byzantium stands accused of treason by an oracle, and is put on trial after Philip of Macedon has departed:

ἐλέγχω Πύθωνα προδεδωκότα τῷ χρέσαντι θεῷ, τῷ δήσαντι δῆμῳ, τῷ ἀναζεύξαντι Φιλίππῳ, ὁ μὲν γὰρ οὐκ ἂν ἔχρησεν, εἰ μὴ τις ἦν, ὁ δὲ οὐκ ἂν ἔδησεν, εἰ μὴ τοιοῦτος ἦν, ὁ δὲ οὐκ ἂν ἀνέζευσεν, εἰ μὴ δι' ὃν ἦλθεν, οὐχ εὖρεν. (Philostratus, *Vitae Sophistarum* 514)

I convict Python on the testimony of the god who furnished the oracle, the people who bound him in chains, and Philip who has withdrawn. For the god would not have given the oracle if there were not a traitor; the people would not have chained him if he had not deserved it, and Philip would not have withdrawn unless he had failed to find the man he had come for.

The complexity and elegant compression of the argument speaks for itself. But it might also be suggested that the glibness of the original fifth-century sophists is all too evident in their self-styled successors. Gods do give equivocal oracles; not everyone judged “that sort of man” turns out to be so; and the argument relating to Philip is a tendentious presumption. If an audience were entertained by the sheer effrontery of Isaeus' summing up here, that would all have been part of the game.

The World of the Declaimers

There are some readily acknowledged divergences between the preferences of Greek and Roman declamation: Greek preference is for historical or quasi-historical themes, rather than timeless cases about the judicial entanglements of individuals. Seneca will occasionally note that Greek declaimers in Rome are inclined to be more risqué than their Greek counterparts (*Controv.* 1.2.22). But the declamation schools noted by Philostratus as the epicenter of his subjects' activities produce few surprises, while they do illustrate at least from time to time that whatever the technical type of rhetoric being practiced, at least something could be left to the personality of the declaimer himself. When for example we have a Lucian at large, even the banalities of a routinely “historical” subject can acquire an effect of their own. The first of his two *Phalaris* declamations is presented through the mouth of an embassy to the Delphians from the tyrant Phalaris of Agrigentum, requesting permission to dedicate to the god the bronze bull he has already used as a torture chamber; if Apollo accepts, then the god would of course be legitimizing the tyrant's abhorrent regime. Aside from the technical rhetorical “issues” involved, the entertainment value of the declamation resides in the opportunities for Phalaris to characterize himself in *lexis eschematismene* (veiled allusion) as a benevolent and public-spirited individual misunderstood by his enemies:

ὑβρεις δὲ παρθένων ἢ ἐφήβων διαφθοραὶ ἢ γυναικῶν ἀπαγωγαὶ ἢ δορυφόρων ἐπιτέμψεις ἢ δεσποτική τις ἀπειλή ἀποτρόπαιά μοι καὶ ἀκούσαι ἦν. ἤδη δὲ καὶ περὶ τοῦ ἀφεῖναι τὴν ἀρχὴν

καὶ καταθέσθαι τὴν δυναστείαν ἐσκοπούμην ... τὸ δ' ὅπως μηκέτι τοιαύτης τινὸς θεραπείας δεήσεται ἢ πόλις, τοῦτ' ἐζήτουν ἔτι. καὶ γὰρ μὲν ὁ ἀρχαῖος περὶ ταῦτα εἶχον, οἱ δὲ ἤδη τε συνίσταντο ἐπ' ἐμὲ καὶ περὶ τοῦ τρόπου τῆς ἐπιβουλῆς καὶ ἀποστάσεως ἐσκοποῦντο ... ἃ μὲν γὰρ περὶ ἐμοῦ αὐτοῦ, εἰ ληφθείην, ἐδέδοκτο ἤδη αὐτοῖς καὶ ὅπως με αὐτοχειρίᾳ διασπάσασθαι ἠπέλουν καὶ ὡς κολάσεις ἐπενόουν, δημοσίᾳ στρεβλούμενοι ἐξεῖπον. τοῦ μὲν δὲ μηδὲν παθεῖν τοιοῦτον οἱ θεοὶ αἵτιοι φωράσαντες τὴν ἐπιβουλήν, καὶ μάλιστα γὰρ ὁ Πύθιος ὀνειράτα τε προδείξας καὶ τοὺς μὲνύσοντας ἕκαστα ἐπιπέμπων. (Lucian, *Phalaris* 1.3–4)

Merely to hear of girls outraged, youths corrupted, wives abducted, guardsmen sent to doors, or any manner of despotic threat – all these I regarded as sacrilegious. Already I was looking for ways to demit office and lay aside my powers... I was still looking for ways to make sure the city would never again need the sort of care I gave it. And yet while I was concerned over the matter – like the old-fashioned idiot I was, those men were already taking sides against me, devising the plot for their revolt... what they had in mind for me had they caught me they had already decided, and how they were threatening to dismember me limb from limb and what punishments they were devising – all these they openly confessed on the rack. The gods were responsible for ensuring that I suffered none of this by ferreting out the plot, especially Apollo, who sent me dreams beforehand, and the men to explain every detail of them.

Only the reference to confession on the rack alerts the hearer to the sinister nuance of everything else. It enables us to deduce moreover that Phalaris can make up any dream that will be interpreted, whether innocently or with complicit interpreters, as a license for the removal of further enemies. The fact that Delphi itself sent the interpreters suggests that the Delphians already realize how much they have to gain from the benefactions of a tyrant who will have grown wealthy on confiscations from his enemies. This becomes all too clear in due course: Phalaris duly promises that this bizarre benefaction will be the first of many (1.13).

One of Lucian's other efforts in "pure" declamation concerns a not strictly historical background: a tyrannicide who only succeeds in killing a tyrant's son claims the reward for killing the tyrant, since the latter on finding his son's corpse had used the tyrannicide's sword to kill himself. Heath (1995: 103) uses the piece to illustrate an issue hinging on definition: but we should also bear in mind the very easy counterarguments to which the tyrannicide's arguments leave him open. In the first instance he did not kill the tyrant at all, but a son who may have been innocent; moreover a murder of a third party as a result of a plan that went wrong hardly merits reward; and no proof is possible that the tyrannicide actually conceived at all the chain of events which took place by little more than chance, for all his boasting to the contrary.

This kind of theme invited ridicule outside the confines of the schools; but a writer of Lucian's caliber succeeds in enlivening the whole scenario by coming close to personifying the sword itself:

ὦ ξίφος κοινωνὸν καὶ διάδοχον τῶν ἐμῶν κατορθωμάτων, μετὰ τοσοῦτους κινδύνους, μετὰ τοσοῦτους φόβους ἀμελούμεθα καὶ ἀνάξιοι δοκοῦμεν δωρεᾶς. εἰ γὰρ ὑπὲρ μόνου τούτου τὴν τιμὴν ἤτουν παρ' ὑμῶν ... δεσπότην οὕτω δημοτικῷ κτήματι οὐκ ἂν ἡμεψάσθεις; (Lucian, *Tyrannicida* 19)

Sword, you were partner and successor in my accomplishments; after so many dangers, after so many killings, we are disregarded and deemed unworthy of reward. If it were on behalf of this sword alone that I was seeking the honor from you . . . would you not have recompensed the owner of a possession so loyal to the people?

The tyrant is provided with a similar apostrophe to the sword, and it is finally given the last credit of all. Part of the enjoyment of the argumentative process must indeed have been that it was so blatantly ridiculous.

The picture given by Lucian himself of sophistic activity is not a flattering one, and it is a scene he obviously knew all too well, whether he could have claimed the ambiguous status of sophist in his own mind or anyone else's. He implies in particular that sophistic rhetoricians thrived like their more overtly intellectual predecessors of the fifth century BCE on a certain opportunism, self-advertisement, and notoriety, and that they were able to impose on an all too gullible public in much the same way. One notes the connoisseurs able to account for the borrowed plumes of any particular sophists *à la mode*, and all set to catch him out:

ἦν δὲ τὸ ἐπὶ τούτῳ ὁ μὲν πάνυ ἀπίθανος ἐν τῇ ὑποκρίσει, συνείρων οἶον εἰκὸς ἐκ πολλοῦ ἔσκεμμένα καὶ μεμελετημένα . . . γέλως δὲ πολὺς παρὰ τῶν ἀκουόντων· καὶ οἱ μὲν ἐς τὸν Πατρεᾶ ἐκείνουν μεταξὺ ἀποβλέποντες ὑπεδήλουν ὡς οὐ λέληθε συμπράξας αὐτῷ τὴν ῥαδιουργίαν, οἱ δὲ καὶ αὐτὰ γνωρίζοντες τὰ λεγόμενα παρ' ὅλην τὴν ἀκρόασιν διετέλεσαν ἐν τούτῳ μόνον ἔργον ἔχοντες, ἀλλήλων πειρώμενοι ὅπως μνήμης ἔχουσι πρὸς τὸ διαγιγνώσκειν ὅτου ἕκαστον ἦν τῶν ὀλίγων πρὸ ἡμῶν εὐδοκμησάντων ἐπὶ ταῖς καλουμέναις μελέταις σοφιστῶν. (Lucian, *Pseudologista* 6)

He was completely unconvincing in delivery, stringing together of course what he had long studied and practiced . . . his audience laughed a great deal, and some at times watched that fellow from Patras and hinted that they had realized the complicity he was offering for the “improvisation”; while others recognizing his expressions throughout the performance ended up with only one preoccupation, jogging one another's memories over which of the sophists who won their fame a little while ago in their “exercises” was responsible for each locution.

We are entitled to suspect that Lucian was not alone in his amusement, and that such an occasion was by no means unique: already the elder Seneca implies a similar camaraderie in the *scholastici* of the rhetorical schools in Rome, and the existence of a common repertoire would have enabled such spotting to flourish.

Rhetoric Applied: Some Aspects of Fronto and Lucian

We are fortunate to have extensive correspondence from the eminent rhetor and imperial tutor Fronto (Champlin 1980; Hout 1999): clearly in terms of preeminence he would have been ranked of sophistic standard, though in general accordance with Roman practice he himself uses the term *rhetor* rather than sophist. It is instructive to focus on the brief exchange of correspondence between Fronto and the historian Appian: it shows rhetorical modes of argument applied to the rights and wrongs of Appian's offering a gift of two slaves to his friend, and the reasons why Fronto rejects

them (*Additamentum Epistularum Variarum Acephalum* 4–5). The imperial tutor is able to marshal his arguments ambidextrously in Greek, the more natural language for writing to Appian, and a testimony to the normal versatility for a *rhetor* whose first language would have been Latin. It is clearly not intended for public delivery, and is acknowledged as no more than an amusing diversion. Yet the pair of letters could easily have formed the basis of yet another couple of *controversiae* proper. States and the gods receive gifts, the argument runs: why should not private individuals? In the world of sophists the rhetorically highly educated are never far away from the podium for too long. Fronto's views on the emperor Marcus Aurelius' preference for philosophy shows the mentality even more clearly:

ibi tu mihi videre...ad philosophiam devertisse, ubi nullum prohoemium cum cura excolendum, nulla narratio breviter et dilucide et callide collocanda, nullae quaestiones partiendae, nulla argumenta quaerenda, nihil exaggerandum. (Fronto, *De Eloquentia* 4.5)

You seem to me to have turned to philosophy, in which there is no preamble to be carefully worked out, no outline briefly, clearly and cunningly composed, no division of questions, no arguments to be sought out, no expansion to complete what is missing.

Our interest in him here might be focused on his role as an intended historian of Lucius Verus' Parthian campaign, where we have unique access to the emperor's hopes for rhetorical embellishment, and surviving specimens of just how rhetorically Fronto was prepared to fulfill them. We have no reason from the normal historical record of Dio of Prusa or the less fanciful part of the *Scriptores Historiae Augustae* to suspect that Lucius was a specially intrepid campaigner, yet Fronto gives him the full treatment:

pulverem confertum pro nebulis pati, sudorem in armis ut in ludicris insuper habere; caput apertum soli et imbribus et grandini et nivibus neque vel adversus tela munitum praebere...primam vigiliam facile vigilare, postremam iam dudum expergitus opperiri, labore magis quam otio laetari, otio ad laborem abuti. (Fronto, *Principia Historiae* 13)

The thick dust he suffers as if it were a mere mist; sweating under arms he considers no worse than sweating in athletics; he exposes his head to sun or shower, hail or snow, and leaves himself unprotected against enemy weapons...he easily endures the first watch, and awaits the last already awake long beforehand; he delights more in work than leisure, and leisure he exhausts in work.

In this context one notices Lucian's posture (it may be no more) of hostility to the disfiguring effect of rhetoric on historiography. His example is an ineptly rhetoricizing historian of this selfsame Parthian War:

εἴτ' ἐπειδὴ Θουκυδίδης ἐπιτάφιόν τινα εἶπεν τοῖς πρώτοις τοῦ πολέμου ἐκείνου νεκροῖς, καὶ αὐτὸς ἡγήσατο χρῆναι ἐπειπεῖν τῷ Σεουηριανῷ...θάψας οὖν τὸν Σεουηριανὸν μεγαλοπρεπῶς ἀναβιβάζεται ἐπὶ τὸν τάφον Ἀφράνιον τινα Σίλωνα ἑκατόνταρχον ἀνταγωνιστὴν Περικλέους ὃς τοιαῦτα καὶ τοσαῦτα ἐπερρητόρευσεν αὐτῷ ὥστε με νῆ τὰς Χάριτας πολλὰ πάνυ δακρῦσαι ὑπὸ τοῦ γέλωτος καὶ μάλιστα ὅποτε ῥήτωρ ὁ Ἀφράνιος ἐπὶ τέλει τοῦ λόγου δακρύνων ἅμα σὺν οἰμωγῇ περιπαθεῖ ἐμέμνητο τῶν πολυτελῶν ἐκείνων δείπνων καὶ προπόσεων...καὶ τοῦτο ἔφη ἰδόντας τοὺς παρόντας ἅπαντας θαυμάσαι καὶ ὑπερεπαυέσαι τὸν Ἀφράνιον. ἐγὼ δὲ καὶ τὰ ἄλλα

μὲν αὐτοῦ κατεγίγνωσκον μονονουχὶ ζωμῶν καὶ λοπάδων μεμνημένου καὶ ἐπιδακρύοντος τῇ τῶν πλακούντων μνήμῃ, τοῦτο δὲ μάλιστα ἡτiasάμην, ὅτι μὴ τὸν συγγραφέα καὶ διδάσκαλον τοῦ δράματος προαποσφάξας ἀπέθανεν. (Lucian, *Quomodo Historia Conscribenda Sit* 26)

Since Thucydides had made some funeral speech for the first casualties of the Peloponnesian War, he thought he too ought to make a funeral speech for Severianus. . . . So after giving him a magnificent funeral he made one Afranius Silo, a centurion, the competitor of Pericles; he spoke so much in such an over-the-top style that by the Graces I was absolutely reduced to tears of laughter, and especially when this rhetor Afranius at the end of his speech wept and mournfully reminded his audience of the expensive dinners and toasts. . . . And as they saw this he said that all the onlookers were amazed and showered their praises on Afranius. But I took against him on every count for almost reminding them of the soups and shellfish and shedding tears over the memory of the pancakes, but what I most blamed him for, was that he did not kill the historian who produced the show before he died.

Severianus has evidently been something of a *bon viveur*, but the *epitaphios* (funeral speech) is hardly the place for culinary memoirs. Lucian's victim, real or imagined, has fallen into a celebrated pitfall noted by Longinus (*Subl.* 43), when he criticizes Theopompus for allowing an inventory of foodstuffs to get out of hand and out of context. We are uncomfortably close here to the world of the *Deipnosophists*.

Rhetoric in the Greek Novel and Apuleius' *Metamorphoses*

The sophistic novelists dated round about the Second Sophistic period offer a distinctive illustration of rhetorical technique and outlook in the service of extended narrative fiction. We are in a culture where Love seems to be in charge of a rhetorical school, and almost any situation can be pressed into his service to provide erotic rhetoric. Comparison between rhetorical purple passages in Longus, Achilles Tatius, and Heliodorus tends to emphasize the competence and the high degree of individuality of these authors in their use of sophistic rhetoric, rather than any merely mechanical deployment of overenriched verbal resources. The test in each case is whether or not the author can persuade us that smart speech-making or description is convincingly integrated into the literary texture of a romantic, sentimental plot.

In each of the three there are stretches of courtroom wrangling or the equivalent. It is interesting to observe that in Achilles and Heliodorus, far more ambitious in scale than Longus, there are quite protracted proceedings, in both cases paradoxical in some respect. Achilles' hero Cleitophon condemns himself to death after confessing to the murder of his beloved Leucippe, wrongly thinking her dead and wishing to join her; his cousin Cleinias tries to persuade the court that the confession is void, but Cleitophon's confession is enough to ensure that he is condemned to death. Now he is clearly to be seen as innocent the moment Leucippe turns up safe and well; but the speeches go ahead anyway, until cut short by a legal challenge (Ach. Tat. 8.1–11). The novelist's proceedings might be felt to be as unreal as those of the declamation schools themselves, Greek or Latin. But we should at least suspect more than a taste on the part of a readership for just such convoluted courtroom melodrama, especially at such a late stage in the plot. Heliodorus somewhat later takes what to us

might seem a similar risk, spinning out the appeals when Charicleia's father, the king of Ethiopia, blindly insists on sacrificing his own newfound virgin daughter in obedience to religious convention, until this can be set aside by priestly authority, again in the very last book of the novel (*Aeth.* 10.7–40).

The light-fingered miniaturist Longus has no place for such bulky speeches, but simply for a wry dismissal of speechifying. In the nearest thing to a full-blown court case Daphnis defends his goats for eating the withy that caused the shipwreck of the Methymnaean ship. The judge, Philetas the cowherd, declares (2.15 ff.) that the guilty parties, the wind and the sea, are under the jurisdiction of another court! But we should do well to add that "sophistic" does not automatically carry a guarantee of quality for good or ill. Chariton is a competent rhetorician, usually reckoned on linguistic and literary grounds alike to be presophistic; yet for courtroom drama cleverly, dramatically, and light-fingeredly presented, he yields to none of the three, not least because the trial of Chaereas is so carefully prepared in terms of plot construction, not just tagged on as a compulsory sophistic ornament, as is arguably the case in both Achilles and Heliodorus.

Apuleius as it happens offers an unusual opportunity for the observation of sophistic rhetoric in action, as we can monitor large parts of his text against a much sparer version of his Greek original, and so form some sense of the rhetorical "value added." Apart from the considerable element of verbal "makeover" which we notice in passages where the substance is identical, one can notice the sophistic stamp in such details as Lucius' performance at his trial in the so-called Laughter Festival at Hypata (*Met.* 3.5–6): here our anti-hero makes a ludicrous defense speech showing that the three murders he is supposed to have committed were actually in self-defense, an act of braggadocio undercut when it becomes clear that he had only killed animated wineskins and not robbers:

fateor, Quirites, extremos latrones – boni civis officium arbitratus, simul et eximie metuens et hospitibus meis et mihi – gladiolo, qui me propter huius modi pericula comitabatur... dirigitur procliaris acies. ipse denique dux et signifer ceterorum validis me viribus aggressus ilico manibus ambabus capillo arreptum ac retro reflexum effligere lapide gestit. quem dum sibi porrigi flagitat, certa manu percussus feliciter prosterno... qui ne tantillo quidem umquam crimine postulatus, sed probe spectatus apud meos semper innocentiam commodis cunctis antetuleram. nec possum reperire cur iustae ultionis, qua contra latrones deterrimos commotus sum, nunc istum reatum sustineam. (Apuleius, *Metamorphoses* 3.5–6)

I openly confess, citizens, that I set out to put these desperate criminals to flight and take them out. I thought this the duty of a good citizen, at the same time extremely fearful for my hosts and myself; I had a short sword, which I carried with me to face dangers of this kind... Their line of battle deployed, their ringleader and standard-bearer went for me with powerful force; with both hands he took hold of my hair, pulled back my head, and tried to strike me with a stone. And while he demanded one to be put in his hands, I laid him low with a thrust that struck home... I had never been brought to court on even the slightest accusation, but enjoyed a high regard among my own fellow-citizens, having placed a blameless life above all temptations. Nor can I find grounds for undergoing this criminal trial for the just vengeance I was driven to take against the worst criminals.

In Apuleius' case too we are able to coordinate this lavishness with his performance in both the forensic situation of his *Apologia de Magia* on the one hand, and some of the performance asides noted in the *Florida*: here we have a *desultor litterarum*, a verbal virtuoso acrobat, for whom the focus is never far removed from the concert platform and the admiration of the crowd.

Rhetoric at Large: The Declaimer Turns to Belles-Lettres

Some recent scholarship is suspicious of the diversionary side of sophistic production and dismisses analysis of it as sophistry in its own right (Brunt 1994: 37 n14). But it is hard to avoid the evidence that sophistic habits of thought could all too easily spill over into other areas of activity, often in a manner that was deliberately and ostentatiously "smart." One thinks for example of Lucian's presentation of Prometheus in contrast to that of the *Prometheus Vincitus*. The second-century belletrist has the already crucified Prometheus glibly declaiming an apologia which in fact condemns Zeus while pretending not to do so, while Hermes seems quite happy to fill in the time of day listening to an *akroasis epideiktike*, an epideictic performance, as he has to wait for the eagle to arrive to deal with Prometheus' liver (*Prom.* 4). The culture of declamation is so pervasive that even the most unlikely situation can be made to accommodate it. Once again there is an element of being too smart a speaker for one's own good: Prometheus speciously claims that the theft of fire results in no diminution of the fire available to Zeus, which is hardly the point (*Prom.* 18); or a contemptible robber about to be condemned in the Underworld can argue that his crimes are due to predestination (*Dial. Mort.* 24.3).

There is moreover by this period a sense that rhetorical culture is somehow an end in itself. If we wished, either as philosophers or rhetoricians or general *pepaideumenoi*, to talk about the trial of Socrates, it is somehow less than enough to say that Socrates was put on trial and executed by the Athenians, as every schoolchild then and now might be expected to know. Rather we are resigned to the fact that for Maximus of Tyre in the mid-second century CE:

Σωκράτη τούτον Μέλητος μὲν ἐγράψατο, Ἀνυτός τε εἰσήγαγεν, Λύκων δὲ ἐδίωκεν, κατεδί-
κασαν δὲ Ἀθηναῖοι, ἔδωκαν δὲ οἱ ἑνδεκα, ἀπέκτεινεν δὲ ὁ ὑπηρέτης. καὶ Μελήτου γραφομένου
ὑπερέωρα, καὶ Ἀνύτου εἰσάγοντος κατεφρόνει, καὶ Λύκωνος λέγοντος κατεγέλα, καὶ
ψηφίζομένων Ἀθηναίων ἀντεψιφίζετο, καὶ τιμωμένων ἀντετιμάτο, καὶ δεόντων αὐτὸν τῶν
ἑνδεκα τὸ μὲν σῶμα παρείχεν, ἀσθενέστερον γὰρ ἦν πολλῶν σωμάτων, τὴν δὲ ψυχὴν οὐ
παρείχεν, κρείττων γὰρ ἦν Ἀθηναίων ἀπάντων, οὐδὲ τῷ ὑπηρέτῃ ἐχαλέπαιεν οὐδὲ πρὸς τὸ
φάρμακον ἐδυσχέρανεν· ἀλλ' Ἀθηναῖοι μὲν αὐτὸν οὐχ ἐκόντες κατεδίκασαν, ὁ δὲ ἀπέθνησκεν
ἐκὼν. (Maximus of Tyre, *Dialexeis* 3.2 a 1–c 2)

Meletus charged Socrates, Anytus brought him to court, Lycon prosecuted him, the Athenians condemned him, the Eleven incarcerated him, and the servant executed him. When Meletus charged him he disdained him, when Anytus brought him to court he looked down on him, when Lycon spoke he scoffed at him, when the Athenians voted he voted against them, and when they awarded the penalty he contested their judgment. When the Eleven deemed the penalty binding on him he presented his own body, which was weaker than their many, but he did not give up his soul, which was stronger than all

the Athenians put together; nor did he show anger toward the servant, nor was he reluctant toward the poison. In truth the Athenians condemned him unwillingly, whereas he died willingly.

The antitheses and isocola have become second nature here. It is hardly that they are either more persuasive, or for that matter inherently less honest; it is rather that this is the sound pattern one has come to expect from the public utterances of the most highly educated, and this is the sound pattern they seek to hear.

The Power of Rhetoric, the Rhetoric of Power

Over the past decade or more there has been debate in a historical and historicizing context on the relationship of rhetoric to power, culminating in Swain's *Hellenism and Empire* (1996). One could say that the heading above illustrates the problem all too well: it is undoubtedly a smart formulation, but what does it actually mean? Certainly sophists themselves are very forthcoming about their prospects – real or imagined, and once more that is the problem: while Philostratus can point to important posts for sophistically trained figures, they are certainly not an integral part of any supposed career structure. And even to attain special prominence is not necessarily or exclusively a reward of eloquence rather than parentage and position, as the well-documented case of Herodes Atticus indicates clearly enough. Lucian ironically has his professor of rhetoric enjoining his upwardly mobile pupil to turn the performance into a *tyrannis* (“the regime of a tyrant”), but for a substantial cross-section their tyranny may have been confined to the school and the concert platform, at least most of the time (*Rh. Pr.* 19). Juvenal's rueful remark (10.114–32) on the foolishness of those who crave for their offspring the fame but not the fate of Cicero or Demosthenes tells a similar story. The telling remark of the younger Pliny that Isaeus preferred to run a school than to seek *éclat* in more obviously political or high-profile fields should act as a warning (*Ep.* 2.3.5–7).

That, then, is one sort of power. If we take power in the sense of “educational opportunities” for social advancement, we get a slightly different answer. The obligation to learn an elegant mandarin language of some sort is loosely connected with the so-called Attic revival. But one Pausanias could still occupy a chair at Rome with a coarse Cappadocian accent (Philostr. *VS* 594: perhaps the exception that proves the rule); and Lucian seems very cynical about the amount of Attic affectation that is really necessary to impress an impressionable but indiscriminate public (*Rh. Pr.* 16–18). It is generally true that someone who wished to write or speak in the language of the *Aesop Romance* or the New Testament would not have got very far in a public or private career based on eloquence. But Plutarch and Galen had no trouble in establishing themselves in letters and professional and public life without any great concern for Atticizing purism.

Again, Hellenism is readily associated with the sophists, but it is not always synonymous with their activities. Even if a sophist like Herodes could call his pupils “Hellenes” and a kind of narrow Greekness is insisted upon, one notes that Plutarch or Pausanias could celebrate a wide variety of aspects of Greek cultural identity outside the confines of sophist schools; while Aulus Gellius offers a rather different picture of Antonine culture to that on display in Philostratus' hothouse. The Herodes

reported by Philostratus is almost aggressively Philhellene, but the same figure is presented by Aulus Gellius, and from the perspective of an Italian student in Greece he emerges as a Greco-Roman figure (NA 9.2.10).

The case of Hermocrates of Phocaea can be used to demonstrate the many-sidedness of sophistic power. Philostratus describes an encounter this sophist had with Septimius Severus: he asks for a few grains of incense (VS 611). What sort of power does this illustrate? Philostratus tells us that he “had everything” already, and does not crave further public honors. Is this inherited prestige of no account to a sophist’s self-respect? Part of it was simply aristocratic inheritance, part of it the reputation of his great-grandfather Antonius Polemo – friend of emperors but no stranger to courtroom proceedings for a lifestyle that threatened to outstrip even his resources. Does the story show Hermocrates getting the better of a sometimes ruthless and volatile emperor, or simply showing his noblesse and unworldliness? If we multiply such ambiguities by the forty-odd lives in Philostratus, we shall have a less clear picture than we might have hoped for.

The last decade has seen an interest in the gender aspect of sophists, and the masculine self-definition of it (Gleason 1995). This needs rather careful handling: imputations of effeminacy to discredit opponents are scarcely new in Greek oratory, and the special case of the ambiguous Favorinus of Arles is hardly a very good starting point. And if there were no female sophists, there is certainly no lack of lady declaimers waiting to have their say among the heroines of the Greek novel:

καὶ “ὦ θαυμάσια” ἔφη “εἰ μὲν ζῇ Θεαγένης καθαρεύω καὶ γὰρ τοῦ φόνου· εἰ δέ τι πέπονθεν ὑπὸ τῶν σῶν δόσιων βουλευμάτων, οὐδὲν δεῖ σοι τῶν κατ’ ἐμοῦ βασάνων· ἔχεις με τὴν φαρμακίδα τῆς καὶ θρεψαμένης σε καὶ πρὸς τὰ κάλλιστα τῶν ἔργων παιδευσαμένης, καὶ ἀπόσφαττε μὴ μελλήσασα· οὐδὲν γὰρ οὕτως ἐφίλει Θεαγένης ὁ τῶν σῶν ἀνόμων βουλευμάτων ἔννομος ὑπερόπτης.” (Heliodorus, *Acthiopica* 8.8.5)

“Your royal highness,” said [Charicleia], “if Theagenes is still alive, then I am guiltless of this murder; but if he has suffered any harm through those pious counsels of yours, then there is no need to subject me to your tortures. In me you have the poisoner of the nurse who instructed you in your finest acts: kill me without hesitation; for that would be the earnest desire of Theagenes, the upright, the despiser of your lawless intrigues.”

We could find similar stances for Achilles Tatius’ heroine Leucippe: the heroines of the novel can always be made to sound more redoubtable than their often fumbling male counterparts, and their extempore eloquence is every bit as assured.

Rome in the Greek Rhetoric of Lucian and Aristides

We might note in the context of a treatment of Roman rhetoric the treatment by sophists of Rome itself. In Lucian’s case it is very obviously incidental; it is not part of a sophist’s heritage, and while it can be accommodated up to a point it is not really a significant part of the thought-world of Hellenizing sophists. Rome’s problem is simply that it is a late arrival on the scene, and if its prehistory has a Greek component in the Trojan War and Aeneas’ alliance with Evander, there is not too much more to it than that. That is not to say that Greek sophists could not expend as many words on

Rome as the arts of panegyric might require; but even Aelius Aristides is going through the motions in a way he is not when called upon to offer a comparable panegyric on Athens (*Or.* 26). He will delve into the misfortunes of previous empires and into a potted history of the disunity of the Greek city-states, using the repertoire we should expect of any Greek sophist for the purpose of historical declamation. He will go on to boast of Roman benefaction to the world, of the state of general well-being, or of the ideally mixed constitution that works for the Roman empire (local democratic rule / the Roman senate / the emperor), but with little if anything by way of specific example. The virtuoso rhetor has enough words without troubling to delve into Roman history as Plutarch or Pausanias might have taken the trouble to do. Not even Romulus or Numa or Marcus Iunius Brutus or Carthage rates so much as a mention.

Lucian for his part is able to mirror Juvenal's notorious suspicion of the *graeculus esuriens* ("the contemptible Greek on the lookout for a meal," 3.78) – and in particular its Asiatic variant, like Lucian himself (*Juv.* 3.58–125):

ἄλλως τε καὶ ἡ ἐκ τοῦ ἀπωσθῆναι διαβολὴ πρὸς τὸ μείζον εἰκαζομένη μοιχὸν ἢ φαρμακέα σε ἢ τι τοιοῦτον ἄλλο δοκεῖν ποιεῖ· ὁ μὲν γὰρ κατήγορος καὶ σιωπῶν ἀξιόπιστος, σὺ δὲ Ἕλλην καὶ ῥάδιος τὸν τρόπον καὶ πρὸς πᾶσαν ἀδικίαν εὐκόλος. τοιοῦτους γὰρ ἅπαντας ἡμᾶς εἶναι οἴονται, καὶ μάλα εἰκότως· δοκῶ γάρ μοι καὶ τῆς τοιαύτης δόξης αὐτῶν, ἣν ἔχουσι περὶ ἡμῶν, κατανεοηκέναι τὴν αἰτίαν. πολλοὶ γὰρ εἰς τὰς οἰκίας παρελθόντες ὑπὲρ τοῦ μηδὲν ἄλλο χρήσιμον εἰδέναι μαντείας καὶ φαρμακείας ὑπέσχοντο καὶ χάριτας ἐπὶ τοῖς ἐρωτικοῖς καὶ ἐπαγωγὰς τοῖς ἐχθροῖς, καὶ ταῦτα πεπαιδεῦσθαι λέγοντες καὶ τρίβωνας ἀμπεχόμενοι καὶ πώγωνας οὐκ εὐκαταφρονήτους καθειμένοι. εἰκότως οὖν τὴν ὁμοίαν περὶ πάντων ὑπόνοιαν ἔχουσιν, οὓς ἀρίστους ᾤοντο τοιοῦτους ὁρῶντες, καὶ μάλιστα ἐπιτηροῦντες αὐτῶν τὴν ἐν τοῖς δείπνοις καὶ τῇ ἄλλῃ συνουσίᾳ κολακείαν καὶ τὴν πρὸς τὸ κέρδος δουλοπρέπειαν. (Lucian, *De Mercede Conductis* 40)

Besides, the slander arising from your dismissal is exaggerated by inference and makes you appear an adulterer or a poisoner or something else of the sort. Now your accuser is given credence even when he says nothing, while you are a Greek with an easy-going lifestyle and readily given to all manner of wrongdoing. For that is what they think all of us are like, not unreasonably. For I think I have worked out the reason why they hold that sort of opinion about us. For many who insinuate themselves into households because they know nothing else of use, have guaranteed to provide fortune-tellings and cures and charms for love-affairs and spells against enemies; and yet they claim to be educated and wrap themselves in cloaks and wear beards that are difficult not to respect. So naturally they hold the same suspicion about all of us, when they see that those they most respected behave like this, and especially when they observe their flattery at dinners and on other social occasions and their slavery to gain.

Conclusion

It is difficult to be too rigid in our views of the Second Sophistic. High and late imperial performers and teachers and their associates in both Greek and Latin do share a degree of awareness either that they themselves have the identity of sophists or the broad literary materials techniques and values with which the term had come to be associated (even if they affect to despise the term sophist itself). If it could imply self-importance

more readily than any objective notion of importance as such, its literary and historical associations nonetheless contained both vigor and cultural resonance.

Kennedy (1974: 22) ends a much briefer account of “Declamation in the Second Sophistic” with Philostratus’ tale of Polemo prepared to declaim even from the grave (VS 544). Lucian obliges us with even more elaborate charades in Hades itself, where Minos listens to plea and counterplea from Hannibal and Alexander the Great on their claims to precedence (*Dial. Mort.* 25). Both occasions neatly embody the sense of virtuosity and cultural extravagance that we can expect from the Second Sophistic.

FURTHER READING

Interest in the Second Sophistic in all its aspects has burgeoned, though on the whole the rhetorical and literary implications have taken second place to more broadly historical considerations. There is a well-judged discussion of the literary side in Reardon (1971), in French, followed closely by something closer to a handbook approach in Kennedy (1972, 1983). The aspect of declamation practice itself is covered with characteristic wit and conciseness in Russell (1983). More recent treatments have focused on more technical aspects of style (Heath 1995; Rutherford 1998).

Historical treatments look back to and modify the groundbreaking prosopographical presentation of sophists by Bowersock (1969), questioned in some respects by Bowie (1982). Two studies of the mid nineties significantly extend the issues in more radically different directions: Brunt (1994) in effect challenges the legitimacy and effectiveness of the term Second Sophistic while Swain (1996) opens up a new perspective in terms of Hellenizing outlook and the political power of self-conscious linguistic identity. Whitmarsh (2001) provides a literary challenge while Gleason (1995) explores from a gender perspective the implication of sophistic “masculinity.” For the general issue of Hellenic identity see Goldhill (2001).

Studies of individual figures both central and peripheral to the study of sophists have meanwhile striven to keep pace with the acceleration in more general studies. Philostratus received a general treatment from Anderson (1986); Lucian’s sophistic side is pursued from various angles in Anderson (1976), J. Hall (1981), and Jones (1986). Fronto can be explored through the brief and suggestive study by Champlin (1980) and now the massive commentary by Hout (1999). The rhetorical interests of Aulus Gellius are well covered in Holford-Strevens (1988), and most recently in Holford-Strevens and Vardi (2005). What a great deal can still be said about so many others can be inferred from the proceedings of the conference on Athenaeus (Braund and Wilkins 2000) and on Dio Chrysostom (Swain 2000); and in still pioneering treatments of Maximus of Tyre (Trapp 1997) and Libanius (Schouler 1984, in French; Russell 1996). For Christianizing sophists it is worthwhile to contrast the approaches of Kennedy (1983) and Cameron (1991).

CHAPTER TWENTY-SIX

Roman Rhetoric and Its Afterlife

John O. Ward

No systematic theoretical presentation of persuasive language practice has ever been so comprehensive, so minutely articulated, or so phenomenally influential over such a long period of time as the Greco-Roman rhetorical system. Its dependence upon imports from (or its exports to) dialectic, ethics, grammar, and its uniquely practical theaters of embodiment, gave it a central position in Greco-Roman culture, and because these links and these theaters continued to be important in medieval and Renaissance societies, it never quite lost its Greco-Roman centrality in those societies.

Rhetoric was perhaps the best equipped of the seven liberal arts on which medieval education is often claimed to have been based (grammar, rhetoric, dialectic, arithmetic, music, geometry, astronomy). The base texts used in the other arts compare unfavorably in scope, elegance, and caliber with rhetorical and oratorical works such as those of Cicero and his subsequent admirer Quintilian; the pseudo-Ciceronian *Rhetorica ad Herennium*; the *Rhetores Latini Minores* (“Minor Latin Rhetoricians”; cf. Miller, Prosser, and Benson 1973: 1–127); Boethius’ *De Topicis Differentiis* (*On Different Topics*); Augustine’s *De Doctrina Christiana* (*On Christian Teaching*); and a whole range of practical exemplars from Vergil and Lucan to Ennodius (474–521 CE), as well as a host of other poets, practitioners, and letter-writers. Despite such texts, rhetoric was a “difficult” art for the post-Roman era. It was a potentially dangerous art in the early Christian era because it taught one to persuade others that the “not-true” might indeed be “true,” and it was closely associated with a cultural world – that of late republican Rome – which many contemporaries felt had disappeared or had lost its relevance for ever. At the least, that cultural world required a formidable apparatus of philological knowledge to comprehend properly, an apparatus that was only gradually available, and not systematically, until Renaissance humanism came to the fore in fifteenth-century Italy.

The two major directions or emphases late antique rhetoric bequeathed to the medieval period were the nonmetrical (but rhythmic) spoken art of the Forum and declamatory display-room on the one hand, and (rhetoritized) poetry on the other,

that is, metrical compositions for private circulation or declamatory display. The distinction is an important one. Not only does it propose an inherent interrelationship between grammar, poetics and rhetoric, but it also corresponds, perhaps, to the distinction between rhetoric as a technical art (in Greek *technē*) and rhetoric as powerfully persuasive, almost magical, language (in Greek *dunamis*) – that is, rhetoric as control and rhetoric as subversion.

On the technical side, the ambit of “rhetoric” must include related and derived systematic treatises aimed at persuasion, or the interpretation of what is persuasive (literary criticism, hermeneutics), in fields such as letter-writing and preaching. Indeed, the major new theoretical genres exploiting the classical rhetorical legacy in medieval times were: letter-writing and document composition in prose (*ars dictaminis*, *ars epistolandi*); poetic composition (the *ars poetriae*, dependent both upon the *Ad Herennium* and Horace’s *Ars Poetica*); and the arts of preaching and praying (*ars predicandi*, *ars precandi*). Many other modes of persuasion having to do with dress, behavior, silence, court etiquette, and memory also secured treatment in manuals during the Middle Ages, but the influence of classical rhetorical theory and practice was less marked here.

Classical rhetorical theory survived into the Middle Ages, not in the form of texts that Augustine himself was influenced by (such as Cicero’s *Orator*) but in the form of the so-called Ciceronian “juvenilia” (the *De Inventione Rhetorica* and the *Rhetorica ad Herennium*), which from the Carolingian period (ca. 750–900 CE) onward become the preferred texts for beginners in the art. Both these texts reflected the Greek-influenced instructive methods of Cicero’s youth (see chapters 6, 13). The now anonymous *Rhetorica ad Herennium* went mysteriously into recess between the time of its composition and the fourth century CE, when, according to one theory, Augustine himself, during his career as a teacher of rhetoric (in Carthage, Rome, and Milan 374–84 CE and following), found it on the bookshelves of his friend and patron the African Romanianus, and put it back into circulation as the completed rhetorical work that Cicero envisaged at the end of his *De Inventione*. Augustine’s teacher Victorinus wrote the most important of all commentaries on the *De Inventione* of Cicero toward 350 CE before his resignation from the chair of rhetoric at Rome and before his conversion to Christianity (ca. 355 CE). The major emphases of rhetorical instruction in later antiquity are better indicated by the *Rhetores Latini Minores*, which seem preoccupied on the whole with the classification of legal issues relevant to contemporary court practice (under the heading of judicial *inventio*, “finding of arguments”) and with issues of prose style (under the heading of *elocutio*, “style”).

From the Fifth to the Eleventh Centuries

The possibility that Augustine reintroduced the *Rhetorica ad Herennium* to the classroom is curious. Though he is sometimes credited with a didactic, Greek-influenced work on classical rhetorical theory, he is particularly famous for his *De Doctrina Christiana*, which has been called “the first manual of Christian eloquence, a kind of Christian *De Oratore*” (Conley 1994: 77). Despite its author’s great familiarity with the Greco-Roman tradition, and despite his own intentions, *De Doctrina Christiana* introduces a new kind of tension between “truth” and

“rhetoricity,” thus marking out the territory of medieval rhetoric in ways that are potentially very different from the field in which that tradition operated. Indeed, Augustine’s treatise, often erroneously described as the first of the medieval “arts of preaching,” is in some senses a revolutionary work as it attempted to divert rhetorical attention away from Greco-Roman technical precepts, toward *imitatio* based on persuasive and exemplary biblical models. The venerable Bede (ca. 673–735 CE), attempting in his *De Schematibus et Tropibus* (*Concerning Figures and Tropes*) to illustrate the “figures of speech and thought” (the *colores verborum et sententiarum* of the fourth book of the *Ad Herennium*) from the Bible rather than from secular texts, represents but one continuation of the Augustinian “revolution.” Another representative is Rabanus Maurus, a pupil of Alcuin (730–804), whom Charlemagne met at Parma in Italy. Alcuin himself, master of the cathedral school at York, England, was on a diplomatic mission to Rome when Charlemagne, the most powerful ruler in the Europe of his day, invited him to his own court at Aix-la-Chapelle (Aachen). Alcuin wrote his *Disputatio de Rhetorica et de Virtutibus* (*Discussion Concerning Rhetoric and the Virtues*) for Charlemagne’s benefit, in particular to accustom him to the exercise of justice in the palace court according to the principles of Roman law, as set out in Cicero’s *De Inventione* and Iulius Victor’s *Ars Rhetorica* (probably fourth century CE). As Charlemagne is alleged to have admitted at the opening of this book, rhetoric concerns “civil questions,” and it makes little sense for one such as Charlemagne, confronting civil questions daily, not to know as much about the art as possible. The verse preface announces it as *praecepta* concerning *civiles mores* (“precepts concerning the habits of civil society”), thus situating it on the side Augustine himself abandoned in his *De Doctrina Christiana*.

On the same side, too, was the section on preceptive rhetoric in the encyclopedic *Etymologies* of Isidore (ca. 560–636 CE), bishop of Seville in Spain. The relevance of this rhetorical section of what must have been intended as a comprehensive Roman educational text for the Spanish episcopacy, becomes apparent when one realizes that the bishops in Spain enjoyed a privileged judicial and political position. Not only did the Germanic (Visigothic) rulers of post-Roman Spain regularly use episcopal councils as legislative bodies for their kingdom, but, by the provisions of the 589 Council at Toledo, they made the bishops the judicial overseers of the secular judges (*iudices*) in the realm. These provisions were subsequently repeated. The Roman bishops in Spain were thus involved in the process of legal and political decision-making to a degree unknown in the contemporary Germanic kingdoms. Since Roman rhetoric grew up in a predominantly judicial-legal-political context, it is not surprising that Isidore should have desired to include a brief digest of classical rhetorical theory in his encyclopedia.

Back in Carolingian Europe, however, the tide seems to have turned a little. Alcuin’s pupil Rabanus Maurus Magnentius (ca. 780–856), a learned German abbot and archbishop, returns in his *De Clericorum Institutione* (*On the Training of the Clergy*) to Augustine’s *De Doctrina Christiana* for the necessary learning in the art of communication. Betraying little classical influence, his work illustrates the tension inherent in early medieval rhetorical studies between the practical precepts of the Ciceronian tradition and the model moral behavior based upon biblical *imitatio* and oriented toward the preaching practicalities of the Augustinian “revolution.”

The encyclopedic tradition of summarizing classical rhetorical theory for the benefit of contemporary users is, in fact, older than Isidore of Seville. The sixth-century civil servant under the Germanic (Ostrogothic) ruler Theodoric in Italy, Flavius Magnus Aurelius Cassiodorus Senator (ca. 480–575 CE), the author of a collection of government letters and edicts called the *Variae*, also summarized rhetoric in his monastic encyclopedia, the *Institutiones Divinarum et Humanarum Lectionum* (*Instruction in Divine and Human Letters*). From the very beginning of the Carolingian period though, much fuller rhetorical instruction was available. For example, the question-and-answer *Artis Rhetoricae Libri Tres* (*Three Books on the Art of Rhetoric*), written by the late Roman Gaius Chirius Fortunatianus some time in the second half of the fifth century CE, appears in full in the celebrated early Carolingian manuscript Paris Bibliothèque Nationale lat. 7530. This manuscript was written in Beneventan script at the abbey of Monte Cassino between 779 and 796 CE and contains some fifty-eight separate items of mainly grammatical import, including the *praeexercitamina* (“preparatory exercises”; *progymnasmata* in Greek) that were ascribed to the second-century CE Greek rhetorician Hermogenes of Tarsus (160–225 CE), and translated into Latin by the early sixth-century Latin grammarian Priscian. The text proved a popular aid, especially in the ninth and fifteenth centuries, to certain types of composition at the crossover between rhetoric and grammar. In the ninth century, contemporaries paid a lot of attention to the late Roman encyclopedist Martianus Capella (fl. ca. 400 CE?), book 5 of whose *De Nuptiis Mercurii et Philologiae* (*On the Marriage of Mercury and Philology*) contained a sophisticated summary of rhetorical theory as taught in the later Roman empire. These kinds of texts were matched by attempts to expand the art of rhetoric into areas ill served in the antique manuals, such as letter-writing (a note *De Epistolis*, describing propriety and elegance in epistolary communication, appears in the same Beneventan manuscript as Fortunatianus’ treatise). The full reach of Carolingian ambitions is suggested by the important surviving manuscript of Cicero’s *De Oratore*, a text not much used during the Middle Ages, copied in the early ninth century by the Carolingian Abbot Lupus of Ferrières (manuscript London, British Library Harley 2736), but we have no way of knowing what he or his contemporaries made of such a text since they do not otherwise refer to it. Far more sophisticated scholars than Lupus tell us in the twelfth century that the *De Oratore* was generally absent from the rhetorical schools of the day.

From as early as Merovingian times (France from the fifth to the eighth centuries), there is evidence that bishops involved in difficult court cases before the kings looked to classical rhetorical devices to help them win cases. This is not unusual since bishops were mainly of Roman descent in Merovingian Gaul until quite late. This tendency to make use of the legal categories of classical rhetorical theory only grew more pronounced, with the result that an outlying figure like Notker Labeo could take care to set down the details of rhetorical persuasion in early eleventh-century Germany. Similarly, Gerbert of Rheims (940/50–1003) – who had studied in the monastery at Aurillac in France, taught at the cathedral school of Rheims, was for a time abbot of Bobbio (in northern Italy) and finished his career as Pope Sylvester II (999–1003 CE) – could develop a considerable interest in rhetorical issues and figures, which he sought to put to use in the political/ecclesiastical imbroglios in which he became involved. He formed himself and trained his students in classical poetic modes of locution,

which represented for him a necessary preliminary *ad oratoriam artem*. This training seemed to involve close study of and practice in rhetorical topics as found in Boethius' *De Topicis Differentiis*. Training was perhaps by way of some sort of exercise approaching in format the *controversiae* of antiquity, and considerable direct study of preceptive rhetoric itself as found, for instance, in the *Rhetores Latini Minores* (Halm 1863) – that is, if manuscript Munich Staatsbibliothek (CLM) 14,436 represents, as is claimed, his teaching.

Jaeger (1994) has shown how an emphasis upon proper courtly behavior among bishops and leading ecclesiastics placed a priority in the eleventh century upon a system of education that stressed morals and effective communication. So long as such emphases lasted, classical moral and rhetorical texts retained their place in educational circles. Such emphases indeed picked up pace in the eleventh and twelfth centuries, and this circumstance in part explains the survival in around a hundred manuscripts of some twenty-two *catena* commentaries on the Ciceronian juvenilia from the time of Lawrence of Amalfi to the fourth Lateran Council (1215 CE).

From the Eleventh to the Fourteenth Centuries

Classical rhetorical theory, as conveyed through the Ciceronian juvenilia, seemed to have found an increasing number of selected markets from the eleventh century onward, especially in France, Germany, and Italy. A country such as England seems to have gained access to the subject only by way of grammatical treatises and the grammatical curriculum in general until at least the later eleventh century, after which England was often among the first places to make substantial copies of continental glosses and commentaries on the Ciceronian juvenilia. From the early eleventh century onward, in continental Europe, the habit began of circulating additional explanatory material to the Ciceronian juvenilia, with the additional explanatory remarks “keyed” and related to the first words of the sentence or paragraph in the original. This additional material is known today as a *catena* commentary because the key words from the beginning of all the sentences or paragraphs to which the explanatory comments were keyed form a kind of “chain” (*catena* in Latin). The *catena* system replaced the much more time-consuming – and, as far as the art of rhetoric is concerned, the older – habit of attaching glosses to the primary ancient text: to reproduce a classical text with glosses was a much more difficult process than to copy out a string of remarks organized by key words pointing the reader/user to the appropriate place in the original text (a copy of which, it was presumed, would always be at hand, and indeed, the eleventh and twelfth centuries were a prime period for the production of copies of the two Ciceronian rhetorical juvenilia).

The earliest of the medieval rhetorical *catena* commentaries is much influenced by the oldest of our rhetorical *catena* commentaries – that by the already mentioned late antique figure, Victorinus. Victorinus' commentary was so popular in the medieval and Renaissance period that it has survived in at least one manuscript as the main text, with the *De Inventione* appended as a “marginal gloss” (manuscript Paris B.N. lat. 7749)! Oddly, the Victorinus commentary – the only one to have survived in full before the eleventh century – seems to have been less popular in the twelfth century when teachers were busily writing their own commentaries and glosses on the

De Inventione. Victorinus regained his popularity in the Renaissance, when he was read as a classical original in his own right, rather than simply as a key to the *De Inventione*.

Victorinus' *catena* commentary is a text from the second quarter of the eleventh century, filling four manuscript columns only and consisting in the main of a series of definitions from Victorinus' commentary on the *De Inventione*. The work gives the impression of a series of notes on important matters arising out of someone's *lectura* on the *De Inventione*, a *lectura* that seems to have concentrated as much upon general education and philosophical matters as upon the technicalities of rhetoric (revolving in part around the conflict of laws and using *Inv. Rhet.* 2.144 and *Rhet. Her.* 1.25). The "commentary" occurs with excerpts from grammarians, rhetors, philosophers, poets, and prose-writers – both classical and Christian, and seems to reflect the teaching of Lawrence of Amalfi. Lawrence was a monk of Monte Cassino before 1030, then bishop of Amalfi, and subsequently an exile in Rome, where, among other things he instructed Hildebrand, the future Pope Gregory VII, who made his name as an ardent proponent of papal independence of politics and ruler of world affairs.

We can only imagine the context for such teaching; for the text to have survived, however, suggests some contemporary consumption. It is remarkable to find surfacing in a clerical teaching context in eleventh-century Italy the legal situations (real or fictitious) of a text that even its author spurned (the *De Inventione*, described by Cicero himself in *De Oratore* 1.5 as mere student notes). Lawrence's gloss, however, suggests the utility of a text such as the *De Inventione* in the contemporary climate. The legal theory of the *De Inventione* clearly played some role in clarifying contemporary thinking about current legal issues and many of the early *catena* commentaries show how canon law made use of some of the classifications of issues found in the classical texts. Just as the rhetorical issue of "letter and intent" in classical times had influenced legal discussions, so such concepts as the issue *negotialis* (*Inv. Rhet.* 1.14, 2.62) were applied to situations in canon law. The heated controversies of the eleventh century between cleric and heretic over marriage as a sacrament, between proponents of ecclesiastical and secular universal power, and between Jew, Christian, and Muslim put pressure upon persuasive systems. There is evidence that the controversy toward the end of the eleventh century over who should invest bishops in what way, the so-called "investitures controversy" between "church" and "state" (the German empire), resolved only at the Concordat of Worms in 1122, put a new premium on such rhetorical techniques as *insinuatio*, the "indirect speech opening," for when you have to defend a particularly obnoxious person (for example, Verres) or a particularly horrid case (for example, incest, patricide, matricide, rape).

There is some evidence that the eleventh- and twelfth-century flowering of interest in classical rhetorical theory, characteristic, perhaps, of the revived classical influences in the so-called "Renaissance of the twelfth century," placed too great a strain on the intellectual resources of the day and by the time the university system of education had become established in Europe north of the Alps (ca. 1230 onwards), rhetoric had lost its central place in the educational curriculum. This circumstance forms a considerable contrast with "the age of the *catena* commentary" (ca. 1020–1200) when teachers of classical rhetoric were among the leading intellectuals of their day (Manegold of Lautenbach, William of Champeaux, Thierry of Chartres, Petrus Helias, Alanus of Lille). In the thirteenth century a concern with theological knowledge and

classification systems, and with the dialectical thinking that sustained them, had replaced classical rhetorical theory as the major field of training for Europe's intellectuals, at least in the most advanced areas of Europe (northern France in particular). Within the university system north of the Alps, rhetoric was valued more in terms of the theoretical outline of its inventional ("argument finding/classifying") structure than in terms of its intensive theoretical exposition. Under the heading of composition and grammar, however, rhetoric retained a firm place and this subject brings us to some of the major innovations in rhetorical theory and practice during the medieval period.

From at least the eleventh century onward, intellectuals, monks and scholars had been interested in exploring personal emotions by way of poetic composition, usually on Ovidian models. Sometimes nuns would write to monks and receive replies that were, by modern standards, distinctly erotic. Leading northern French figures, such as Baudry of Bourgeuil (abbot and bishop, living 1046–1130), Marbod of Rennes (cathedral school chancellor and bishop, living ca. 1035–1123), or Hildebert of Lavardin (bishop and archbishop, 1056–1133/4) developed very high standards of Latin poetic and prose composition. These were based on a careful study of classical Latin elegiac and hexametric poetry as well as the collections of letters and poems by Vergil, Ovid, Lucan, Sidonius Apollinaris, Claudian, Ennodius, Cyprian, and other late Roman authors. A figure such as Héloïse, convent educated but – unusually – also an aspirant to literary celebrity in the cathedral and other schools of Paris during the early twelfth century, had absorbed much of the classical poetic legacy and forged her own epistolary style, achieving a high reputation among contemporaries for her compositional abilities. Like other female intellectuals of the twelfth and thirteenth century, however, she concentrated on the affective side of rhetorical expression, rather than the (masculine?) technographical aspects. Latin was the obvious language for emotional expression and learned communication since the vernaculars of the day differed from each other in points of grammar and pronunciation and enjoyed no established orthography. It was not until around a century later than Héloïse that French became an obvious language for poetic composition and experiment.

In the meantime the growing passion for ornate and stylish prose and poetic composition began to be catered to by instructional manuals based on the form of the existing ancient didactic texts in grammar, rhetoric and dialectic. The earliest of these manuals were devised in Italy toward the end of the eleventh and beginning of the twelfth centuries, and were associated with important monastic centers such as Monte Cassino and important urban centers such as Bologna, famous from around 1140 onward also as a center for legal studies. Here, and increasingly in the French cathedral and monastic schools and scriptoria of the twelfth and thirteenth centuries, manuals and collections of exemplars were devised to teach fluency of poetic and prose composition for a variety of formal and informal occasions: ceremonial speeches for weddings, funerals, and births, letters and diplomatic exchange, business affairs, inauguration of school courses, battle addresses, historiography, praise and blame of individuals or events, adoption of courses of action in politics and religion. There was also a wide range of preaching occasions: before unbelievers or radical reformers, for the monastic clergy, for crusade, for church reform and similar situations, including those requiring considerable face-to-face oratorical rhetoric.

By the end of the thirteenth century preaching had become a major function of a university education, and new religious orders had been founded specially for this

task, such as the Dominicans, the “order of preachers” (Kienzle 2000). Many persons entered the universities of the day not for the purposes of graduation (to study in the higher faculties of law, medicine, and theology) but merely to acquire some competence in Latin secretarial composition, which they would try to put to immediate use in employment situations. At its peak, in the work of the major thirteenth century Italian *dictatores* or composition experts, Boncompagno da Signa and Guido Fava, teaching in *dictamen* or the art of (Latin) composition became not only a training for employment in legal, notarial, and business situations, but also a training in creative writing on a wide variety of subjects. The popularity of (Latin) manual writing in these areas spread to Spain, Germany, England, and Eastern Europe, and soon didactic works, whether speech models, commentaries on or paraphrases of Cicero’s juvenilia or other works began to appear in the vernacular, especially Italian (from the thirteenth century onwards).

The manuals devised for letter-writing and poetic composition took much from antiquity: the figures of speech and thought, rhetorical ideas on introductions, narratives, conclusions, faulty discourse and the topics of argumentation. The preaching manuals by contrast would advise rules only dimly related to classical rhetorical theory. The classical rules, however, were set in new patterns and contexts. A large-scale textbook of composition such as the so-called *Candelabrum* of Bene of Florence (early thirteenth century) covers the range of compositional varieties, concentrates on prose and especially epistolary composition, and gives attention to prose rhythm (*numerus*) as well as verse illustrations. Bene points out that he does not deal with civil lawsuits (*de causis civilibus*) since Cicero himself covers that, but he will go into matters not dealt with by Cicero or Quintilian such as the theory of *determinationes*, which are, “as it were, the most potent condiment of a speech, rendering the obscure clear, the wandering disciplined, the imperfect perfect and rendering the poor speech rich” (*determinationes igitur sunt quasi totius orationis potissimum condimentum, quae obscura dilucidant, evagantia coartant, imperfecta perficiunt et sermonem pauperem locupletant*, Bene 8.2.2; Alessio 1983). Nevertheless, in these and related situations (memory, etiquette, behavior and comportment, even silence), the popularity of manuals was unceasing and some notable achievements were chalked up such as a seamless twelfth-century monastic “abridgment” of Quintilian’s *Institutio Oratoria*, and a fusion from the same period of the *De Inventione* (dealing only with the first part of classical rhetoric, “the finding of arguments” or “invention”) and the *Ad Herennium* (dealing with all five parts of classical rhetorical theory) into a single manual.

A feature of the medieval composition manuals is their attitude toward “fine language.” Such attitudes were based upon the use of a common standard of impressive Latin, favoring baroque language and word patterns that were innovative and ear-catching rather than classical in their formulation and execution. Medieval writers were not particularly anxious to cultivate the speech forms found in Cicero’s orations or the modes of address found in his letters, though those writings were known and occasionally admired. Outstanding scholars were sufficiently interested to make copies of the speeches, allusions to them were common among educated people and the best stylists could imitate a Ciceronian sentence. If anything, however, medieval writers were influenced more by later Roman imperial Latin practices and curricula, rather than by any singling out of the Ciceronian stylistic and chronological

period for rigorous imitation. Nevertheless, creative writing, especially in the vernacular, reached new heights in the later Middle Ages and the authors in question were skilled in Greco-Roman rhetorical theory and its contemporary practices. Key figures such as Dante (the author of the *Divine Comedy*, early fourteenth century), Chaucer (*Canterbury Tales*, late fourteenth century), Jean de Meun (*Romance of the Rose*, late thirteenth century), among many others, are known to have made much use of the rhetorical legacy of the Greco-Roman past to organize the general shape and the persuasive or ornamental detail of their literary creations.

The influence of rhetoric during the high Middle Ages can be traced in curious places. An example is the theological worldview of Peter Abelard (1079–1142), famed as a dialectician, a philosopher, and a searcher after “truth.” Despite the apparent opposition to “ornament” and “verbal excess” evident in many of his works, Abelard grew more and more interested in the relationship between language and truth, in the power and expressiveness of persuasive discourse. By the time of his death he was convinced that he had been “misunderstood” because of the *multiloquium* (“much speaking”) inherent in discourse. *Multiloquium* was a rare classical and ecclesiastical word used to refer, probably, to the many ways of saying things, the imprecision, and the ambiguities that are part of our use of language. Early in his career Abelard became well versed in the “new *catena*-rhetoric” of the later eleventh and early twelfth centuries, even if the major practitioners of that art in his day were his opponents. In the very first line of the prologue to his commentary on St Paul’s *Epistle to the Romans* (Minnis and Scott 1988: 100), Abelard considered that *omnis scriptura divina* (“all divine scripture”) was designed to teach and move *more orationis rhetoricae* (“in the manner of a rhetorical oration”).

A less explored area in which the influence of ancient rhetorical norms might have been felt during the period is “gesture” (*pronuntiatio*). There are many indications in manuscript illumination and mosaics (for example from Ottonian times or in the mosaics of the creation at Palermo, Monreale, and Venice), and also in Carolingian manuscripts of Terence, that an elaborate system of gestures was known in the artistic representation of the medieval period. Links between medieval drama and various aspects of the classical rhetorical system have also been suggested.

The Renaissance and Its Antecedents

Rhetorical manual-writing and lecturing continued into the Renaissance, which we may define here as the cultural movement manifested first in fifteenth-century Italy, and later in the rest of Europe. This period witnessed a much more rigorous recovery of Greco-Roman cultural texts and models, and the continued interest in manuals produced such notable compositions as the *Rhetoricorum Libri Quinque* (*Five Books of Rhetoric*) of George of Trebizond (published in Venice 1433/4), and the lectures by Pedro Nunez (“The Art of Public Speaking”) on the imperial Greek rhetorician Hermogenes of Tarsus, compiled for delivery to law students at the University of Lisbon about 1530 CE.

In terms of prose and epistolary style, a more intense, even “antiquarian” study of Ciceronian writings developed in Italy from the beginning of the fifteenth century, stimulated by the finding in 1421 of an important (but now lost) manuscript of

Cicero's rhetorical writings – including the *De Oratore* and the *Orator* (both complete) as well as the *Brutus*, hitherto not known – at the cathedral of Lodi, southeast of Milan. The older epistolary style, however, lasted well into the century: Guarino da Verona, who taught rhetoric based on the *Ad Herennium* at the princely *studium* (“university”) in Ferrara from 1430 to 1460, was among the first to introduce courses based on Cicero's *epistolae* (letters) into his teaching, and among the last to adopt in his own writings the “strictly Ciceronian” sentence forms and stylistic modes that were increasingly fashionable. His continued use of the stylistically limited *Ad Herennium* contrasted with the challenge thrown out by his contemporary George of Trebizond, who, as we have just seen, produced his own textbook and introduced the use of new rhetorical sources, such as the writings of Hermogenes.

The Italian Renaissance developed out of the interest in language practice and theory in Dante's Italy. There advanced lecturing on the *Ad Herennium* (by, among others, Jacques de Dinant, Giovanni di Bonandrea, and Bartolinus de Benincasa de Canulo) resumed after faltering north of the Alps at the beginning of the thirteenth century. In addition, classical rhetorical theory seems to have gained a renewed relevance in the judicial courts of the Italian republican magistrates, in magistrates' councils and before popular political assemblies. As the fourteenth century wore on and turned into the fifteenth, the elite appetite for classical rhetorical performance (speeches for a wide variety of social, legal, diplomatic, and ceremonial occasions) expanded. Aspirants to fame and riches were capable of performing extraordinary compositional tasks (consult, for example, the writings of Filelfo and Alberti), and women came to be included in the humanist (Renaissance Latin) composition phenomenon, if only in a tokenistic manner. Stylistic standards were slowly pushed back toward classical norms and a key classical rhetorical text such as Quintilian's *Institutio Oratoria*, now known in its complete state, came into fuller and more generalized study even to the extent of suggestions that the *Rhetorica ad Herennium* could not have been written by Cicero (since Quintilian never cites it as such and yet does cite all the other known works of Cicero). This new view of the *Ad Herennium*, advanced at the end of the fifteenth century by Raffaello Regio in Padua, among others, as much for the purposes of discrediting rivals for salaried chairs of rhetoric and grammar as for reasons of historical accuracy, seems not to have impaired the attractiveness of that text as a major instructional tool, though its popularity probably began to fade before the popularity of rival manuals and the universal appetite for the letters of Cicero in the rhetorical schools of towns, universities, and courts.

Despite the impression given above that “Renaissance humanism” flourished in a scholarly environment, many modern interpreters have stressed that the “Renaissance humanists” pursued their interests largely outside the established schools of the day, in courts and as secretaries to potentates. They developed a novel attitude toward the Greco-Roman past, which took the form of a profound respect for what one scholar (Tinkler 1987) has called the “sermocinal literature” of antiquity: the casual, “public” forms of discourse (letters, public speeches, poetry, history, conversation, dialogues, and similar genres). These contrasted with the forms appropriate to (the medieval) schools: commentaries, lectures, questions (*quaestiones*) and disputations (*disputationes*), treatises – especially the *summa* or “sum” of all pertinent knowledge, almanacs and lists, etc. They were also characterized by a tendency to see rhetoric less as a practical, vocational art and more as an important feature of Greco-Roman

paideia – educational attitudes – which Renaissance scholars and writers wished to study and reconstruct more accurately than medieval users cared to, as a means of carving out for themselves an identity “between established institutions.” Thus the letters of Petrarch (1304–74), some addressed directly to the long-dead figures of antiquity, exercised a powerful influence over the shape and pattern of Renaissance humanism, both in the sense that they showed how a “larger work” could be made up of (in this case semi-autobiographical) literary pieces, and in the sense that they valorized extrascholastic literature. It remained a conviction of the humanists that all learning should make life better: it should not be locked away in the classroom.

This was, of course, a key aspect of Cicero’s own attitude toward his studies and his literary skills. Much of the debate here has been over the role of “leisure” (versus vocational employment) in Renaissance literary culture, and whether the humanists were indeed the successors of the professional *dictatores* (“writing teachers”) of the medieval period. One influential scholar (Struever 1970, 1992) sees a contrast between the schoolroom clichés of medieval rhetoric, and Renaissance awareness of the contingent nature of language, of the moral dimensions of rhetoric, of rhetoric as access to virtue and law-abidingness, as the “master science,” with an important focus on social usage. A figure such as the Italian Lorenzo Valla (1407–57, secretary, courtier, and university teacher), the Dutchman Erasmus (1466?–1536, the first man to self-consciously fashion his identity and “career” on the basis of the printed circulation of his works), the Spaniard Juan Luis Vives (1492–1540), the Germans Martin Luther (1483–1546) and Philip Melancthon (1497–1560) took much more than any medieval thinker or writer from Quintilian in this respect. Scholars today however, stress the dissimilarity between the Roman intellectual and social environments, and those characteristic of medieval and Renaissance times. Nevertheless, the often stressed medieval religious “distaste” for rhetoric in fact echoed the original Roman aristocratic reaction (92 BCE, in Cicero’s youth; see chapter 3) to what it saw as the corrupting influences of Greek scholastic rhetoric. This attitude has a curious later echo in Augustine’s own abandonment of Roman “preceptive” rhetoric for Christian emphasis upon behavior and “imitation” of approved (biblical) models.

It is also no accident that Petrarch, a pioneering cultivator of the “familiar” letter, as an alternative to the genres more characteristic of the medieval schoolroom, should himself have possessed and valued a copy of the letters exchanged between Abelard and Héloïse. In these letters and in other “familiar” texts (rhythmic poems and intimate prose for example, or classicizing poetic exchanges originally confided to wax tablets and passed secretly between themselves), these two sought to create a discourse of emotional exploration and comfort that would operate outside and in the interstices between the institutions that they were both, in a sense, exiled from or unhappy within (the monasteries and proto-university cathedral schools). Scholars have also recently stressed the way that some eleventh- and twelfth-century monks and cathedral school teachers read Quintilian carefully and cultivated the pattern of literary “leisure” that Cicero himself displayed at critical times of his life.

Furthermore, the “extracurricular” aspect of Renaissance rhetorical interests has encouraged some modern scholars to see the period as one in which the “relativism” of “truth” (“truth” is whatever persuasive discourse can construct or convince of) recovered some ground (having been in recess in the medieval “theological” period) and touched base again with the interests of the Greek sophists and their Roman

students. Such emphases have led some to link Renaissance interests with the culmination of secularism, rationalism, and humanism in our own day: marketing, advertising, semiology, discourse theory, and postmodernism; “the medium is the message.” Likewise, such approaches have resulted in the stressing of a “breach” between medieval and Renaissance attitudes toward Greco-Roman rhetoric, and the consequent argument that, for example, the “civic” context of Cicero’s rhetoric was ignored until the precocity of urban developments in late medieval Italy came to stress such a context again. Others, however, have commented upon the continuity between medieval and Renaissance rhetorical attitudes, stressing the attention to the Ciceronian rhetorical juvenilia and the overwhelmingly “judicial” nature of rhetoric in both periods.

In France fifteenth-century figures like Jean Poulain and Guillaume Fichet expanded the classical rhetorical curriculum on the basis of Cicero’s juvenilia. The twofold focus of classical rhetoric, namely legal and poetic compositional contexts, proved continuously influential across all of Europe, eastern and western, as well as in England. Struever (1970, 1992) has stressed, however, that Renaissance rhetoric was not merely a matter of increased attention to classical argumentative or persuasive theoretical precepts, but a conviction based on a deep study of the classical *paideia* and its world, a conviction that language created “truth,” and that all things were amenable to persuasive presentation, which would stand for “truth.” She argues that Renaissance thinkers effectively grasped the relativity inherent in classical thinking and its attitudes toward language; they saw rhetoric no longer as a dry list of rules and figures for “ornamenting” compositions, but as a mode of constructing probable discourse in a variety of fields, especially historiography, where medieval importations of rhetorical narrative shaping were expanded to cover new visions of statecraft, liberty, and other social goals. This anticipation of postmodern theory was already present in the thinking of figures like Peter Abelard (Héloïse’s lover); it stressed the public world outside the school (in which most medieval rhetoric had flourished or at least commenced its career), greatly affected the writing of history, and led to thoroughgoing revivals of Quintilianic ideas about rhetoric, dialectic, and grammar (particularly in the *Elegantiae* of Lorenzo Valla).

The much more complicated diplomatic and political world of the early modern period, coupled with the growing sophistication of scholarly study of ancient texts, reached a climax with works such as the *Discorsi* (*Discourses on Livy*) of Machiavelli and his rhetorically influenced *Prince*; the commentaries on Cicero’s *De Oratore*, *Orator*, and *De Partitione Oratoria* by Jacques-Louis D’Estrebay (1481–ca. 1550); and the rhetorical works and ideas of the Dutchman Rudolf Agricola (1443–85), of Desiderius Erasmus (famous for his nonscholastic “letters” and the collection of classical proverbs to which he gave the name of “Adages”), and of Peter Ramus (1515–72). The latter proposed an important separation between rhetoric and dialectic: the former was no longer to contain an abridgement of the latter (under the heading of “invention”) but to consist of its proper elements, *elocutio* and *pronuntiatio* (style and gesture or “delivery”). Despite his attention to Quintilian, Ramus’s “reforms” did not permanently alter the nature and shape of Greco-Roman rhetorical theory as it lasted on through early modern European history.

In all this we recognize not only powerful models for effective expression, and an enormous appetite for the best classical writings on the topic, stimulated by the

advent of printing (in the second half of the fifteenth century), but also an acute recognition of the social context for effective expression and communication (see, for example, the Italian Castiglione's *Courtier*, 1528 CE, the most important and popular Renaissance treatise on education in manners and behavior). At the same time we recognize the growing encroachment of the academy upon intellectual life and endeavor, supplementing and then replacing the court as the fashionable site for advanced research in the humanities. Scholars and intellectuals from all walks of life were increasingly familiar with a renovated classical rhetorical system of persuasion, and substantial advances were made in the time of Galileo, with the system itself influential down to the time of Descartes, Hobbes, Vico, and even Friedrich Nietzsche, who lectured on Greek and Roman rhetoric at the University of Basel in the 1870s. Entrenched in schooling at all levels, and offering an overview of verbal persuasive practice that had few rivals, the classical system of rhetoric and its derivatives was influential so long as face-to-face oral, persuasive situations predominated in intellectual and elite life. Not everyone may have been persuaded that the Ciceronian oratorical ideal was the dominant educative force, and some could criticize Ciceronian schoolroom rhetoric, but few could escape the formative influence of a verbal persuasive system that, having originated in the field of judicial speech, came in the end to influence literature and thinking across a wide and varied spectrum.

FURTHER READING

The standard works on medieval and Renaissance rhetoric are by Murphy (1974, 1978, 1983), the latter two being collected essays on a wide variety of relevant topics; other works are those of Baldwin (1928), Paetow (1910), and Galletti (1938), in Italian, which remains a classic. Murphy's coverage, which stresses in a descriptive way the "applied" rhetorical arts of *dictamen*, poetry, and preaching, should be supplemented by Conley (1994); Meyer (1999), in French; and Fumaroli (1999), in French, for treatment through to the present. See Ward (1995a) for the specifically Ciceronian tradition, Struever (1970, 1992) for an account of Renaissance rhetorical attitudes, and Tinkler (1987) on the relationship between ancient, medieval, and Renaissance rhetorical attitudes. See also Vickers (1988), Mack (1993), and Monfasani (1988). Briscoe and Jaye (1992), Camargo (1991), Kelly (1991), and Kienzle (2000) bring the reader up to date on the "applied" rhetorical arts of the Middle Ages. Haye (1999), in German and annotated, treats the evidence for medieval oral rhetoric intelligently and provides good exemplars. Mehtonen (2003) deals with the tradition of "obscure" speech. Sutherland and Sutcliffe (1999) provide an introduction to women and rhetoric.

Collections of edited and translated texts are to be found in Miller, Prosser, and Benson (1973) and also Murphy (1971); there are separately published translations in English of individual treatises by Galyon (1980) and Nims (1967). The major Latin texts are edited by Halm (1863), Faral (1924), Fredborg (1988), Alessio (1983), Montefusco (1979), and Camargo (1995). Recent general collections are those of Mews, Nederman, and Thomson (2003), Montefusco (2003), Horner and Leff (1995), and Cox and Ward (2006).

PART V

Rhetoric and Roman Literature

CHAPTER TWENTY-SEVEN

Rhetoric and Literature at Rome

Matthew Fox

In looking at rhetoric and literature we are looking at ways of categorizing the world. We are comparing different ways in which language is used, different ways in which the experience of a particular society is channeled into written expression, and different ways in which the categorization of the world is given a value. Literature strikes us as something “artistic”; rhetoric is more “practical.” For a historical society such as Rome, both these forms of expression are, because of the nature of the evidence, now “literary,” in the sense that they are written down; all our sources for Roman rhetoric are now literary sources. But it is questionable how far we would want to think about books on rhetorical theory as literature, and even Cicero’s speeches are often treated as a kind of historical evidence for the political events of which they are a part; even when they are analyzed for their rhetorical techniques, that analysis generally aims to shed light on the interplay between Cicero’s persuasive strategy and the underlying social context in which that strategy can be effective. Cicero’s output, indeed, can be neatly divided by genre: his poetry can clearly be categorized as “literature,” his theoretical writings as “philosophy,” his speeches as examples of “rhetoric.” However, the terms “rhetoric” and “literature” do not have constant, historically unchanging terms of reference; and the differences between our own application of these terms today and the equivalent Roman categorizations are as enormous as the differences between the two worlds to which they are applied. This chapter introduces the section of this volume in which the influence of rhetoric is explored on particular kinds of literature. Individual authors and genres will be examined in detail in the following chapters; this one will tackle the general theme, and more particularly, explore the differences and points of contact between ancient literary production and modern conceptions of the term “literature.”

The title of this chapter is a useful starting point. “Rhetoric and literature” sets up an opposition between two different activities: rhetoric, most simply understood as the cultivation of persuasive skill in oral presentation; and literature, an activity best characterized as writing destined for the experience of the individual reader. Here, we

will explore how far this opposition (which developed into a much more solid contrast in the postclassical world) is at all appropriate to the context of Rome. It is possible to argue that in a culture still dominated by oral rather than written media, and where the production and publication of books was so very different from today's literary world, it is crassly anachronistic to think of an opposition between rhetoric and literature in Rome. Literature is simply the written expression of that rhetorical mindset which defined Roman cultural expression. However, my discussion aims for a more detailed understanding, one which accepts that in the Roman context the title "rhetoric and literature" would have been incomprehensible, while at the same time exploring the roots, which can be found in Roman texts, of what has today become an established opposition between rhetoric and literature.

From Rhetorical Performance to Literary Text

Rhetoric in the ancient world was experienced primarily in the context of a live performance, a form of communication that presupposes an interaction between speaker and audience. Literature, on the other hand, often revolved around a private act of reading. The contrast, however, should be thought of as a fluid spectrum rather than a polarity. Much "literature" was also read out loud (see Kenney 1982: 12), and it is clear that speeches delivered in the courts or senate house were written down in order to be read. Rhetorical theory, meanwhile, was a form of writing that assumed private reading and study, but its lessons must be supposed at least to have both shaped live oratorical performances, and to have derived something of their content from an active rhetorical environment.

A clear distinction between rhetoric and literature was perhaps first recognized by Thucydides, who in his notoriously concise statement of aims (1.22–3) envisages his audience as an eternal readership rather than as the spectators at an oral performance. Thucydides seems skeptical about the potential of works written for performance to elicit serious moral reflection, and his portrait of Kleon (3.36–40) dramatizes his sense of the intimate connection between rhetoric and public amorality. Kleon, he seems to say, thinks he can get away with murder because he can argue persuasively and in the process can cynically denigrate the very rhetorical skill which gives him power over his audience. Thucydides' ambition to commit his own understanding of history, and in particular of Athens, to posterity by writing is based on the desire to ensure the perpetuation of his ideas rather than his literary style. Writing granted them a permanence which he felt was an antidote to the fleeting and fickle effect of a rhetorical event. The notoriously unnatural rhetoric in which he cast his speeches is an indication of the consistency of his program: even his engagement with rhetoric was deliberately literary. The criticisms of Thucydides' rhetoric found in Dionysius of Halicarnassus, written from the viewpoint of one teaching rhetoric at Rome, reveal that such an overtly literary rhetoric would be useless to the practicing orator; here Thucydides was successful for the most part in maintaining his skepticism about rhetoric while still writing set speeches. Dionysius of course misunderstood Thucydides' motivation, since for him rhetoric had lost the sinister associations it evidently had for Thucydides. He was unable to conceive of a form of rhetoric that did not have as its aim the inspiration of future orators, men for whom rhetorical

expertise was the main way of taking on a political role. Thucydides at least makes us aware of the possibility of a highly developed literary rhetoric, while Dionysius' response reminds us that this would not necessarily be understood at Rome.

Examining the relationship between rhetoric and literature in broad terms thus involves thinking about what kinds of differences we can trace between rhetorical performance and private reading, and how far it is reasonable to talk about Rome as "a rhetorical culture," in which rhetorical performance effectively set the standard for all forms of literature. There is no possibility of recovering the actual experience of individual readers at Rome, however. The best we can do is look at how different kinds of texts were given a social value: because "literature" as a category is hard to recognize at Rome, we need to focus instead upon rhetoric, and look at what rhetorical theory tells us about its place in the socio-textual hierarchy.

Rhetoric and Philosophy: Hierarchies of Theory

While it is useful to begin with Thucydides, we must remember that he was writing at a point where both literature and the theoretical awareness of rhetoric were relatively new. His skepticism about rhetoric concerns the distorting effects upon sound political or historical judgment of a competitive ethos which he saw as rhetoric's principle contribution to the political process, a contribution which was almost entirely negative. Plato expressed a much more extreme form of distrust of rhetoric, and in establishing the tradition of a philosophical education, demarcated clearly the proper tools for the analysis of ideas (dialectic) from rhetoric. Plato engendered a centuries-long distrust about rhetoric as an intellectual discipline, but there is little sign of this distrust in Rome (Vickers 1988). The many Greek teachers of rhetoric who came to Rome from the late republic onward seem to have had more interest in the position espoused by Isocrates, who can be thought of as Plato's rival as the founder of an educational system. His position was characterized by its appeal to "philosophical rhetoric." The main distinction between these two ways of thinking about rhetoric is important. Philosophical rhetoric assumes that rhetoric exists to express and perpetuate a set of values based upon an existing social consensus. These are values grounded in a secure, if idealizing and nostalgic, view of the essence of Hellenic identity: the victory of benign self-government over foreign tyranny, goodness and civilization over evil and barbarism. It was this rhetoric that, perhaps paradoxically given the subjugation of Greece to Rome, emerged as the medium for the expression of Hellenic national identity with the extension of Roman rule, and which thrived particularly in the movement now known as "the Second Sophistic" (Swain 1996; Whitmarsh 2005; see chapter 25 in this volume). The paradox is that under Roman rule a sense of pride in Greek identity flourished rather than declined. These trends in Greek rhetoric of course were vital to the shaping of rhetoric at Rome. Even long after Cicero had begun his pioneering work on the creation of a theoretical language for teaching rhetoric in Latin, it was Greek teachers of rhetoric (Dionysius and his successors) who provided much of the rhetorical training for the Roman elite. Roman and Greek rhetoric were not separate discourses. Indeed, for Dionysius the training of Roman orators in Greek could be underpinned by an investigation in the roots of Latin which uncovered its close linguistic relationship

with Greek. Greek rhetoric in this period was characterized by its elaboration of a high-minded sense of social utility; and its celebration of the connection with the cultural achievements of the past. These developments can also be seen in Cicero's works, which attempt (somewhat defensively) an integration of rhetoric into the historical traditions of Rome.

Quintilian's comment, that *philosophia enim simulari potest, eloquentia non potest* ("philosophy may be faked, but rhetoric never," *Inst.* 12.3.12) conveys neatly the distance from the position represented in Thucydides. By the time rhetoric has become sufficiently established for Quintilian's massive textbook to find an audience, it was possible to express with remarkable succinctness the idea that it was not in philosophy that an anchorage could be found for a reliable sense of individual integrity, but in rhetoric. Philosophical discourse has become slippery; its public utility is much less evident than that of rhetoric. Rhetoric represents the organization of the principles of civic order, the practice and perpetuation of the process of law and politics which give social and political life its shape. Philosophy comes across as a rather trivial distraction. The idea that it can be faked is added as a rhetorical flourish at the end of a section encouraging Quintilian's readers to commit themselves to the discipline necessary to acquire legal expertise, and is not further explored. Nevertheless, the model of an individual who, in his rhetorical expertise, effectively embodies social stability and integrity, is in clear contrast to the image of the dissimulating discourse (philosophy), one which, although apparently aiming to provide insight, in fact only provides a false impression of it.

This placing of rhetoric into a hierarchical relationship with philosophy is very important: if we are trying to ascertain how rhetoric stands in relation to "literature," the contrast between the socially useful intellectual pastime and the parasitic or deceptive one will be of great significance. Quintilian is alluding to a long-established contrast (one very visible in Cicero's theoretical works) between the practical and the theoretical: in essence this is a contrast between two distinct lifestyles, the practical life and the contemplative or theoretical life, a contrast generally thought to have originated in the work of the fourth-century philosopher Dicaearchus. For Thucydides, the very usefulness of his history rests upon making it literary and disconnecting it from the performative context of rhetoric. By the time we reach Roman rhetoric, this hierarchy of utility has become reversed. Largely through the efforts of Cicero to create a body of theoretical and philosophical writing in Latin, philosophy became more closely associated with political and social utility, and the same was true for rhetoric. One of Cicero's main aims was to free philosophy from what he and some of his contemporaries saw as the dangers of intellectual exercise too detached from the political scene, dangers embodied particularly in Epicureanism. To make philosophy, and the theoretical discussion of rhetoric more Roman, Cicero felt the need to free it from the negative associations of being an intellectual pastime dislocated from the real business of the state. The associations have a nationalistic overtone – idle Greek philosophers chatting in corners, as he puts it (*Rep.* 1.2, *De Or.* 1.57).

Viewed broadly, it was the same cultural stereotype with which the Roman poets would all engage: there are many moments where Catullus, Horace, Tibullus, Propertius, Ovid, all present their literary activities as belonging precisely to a world influenced by Greek culture and which repudiates the high-minded seriousness to

which rhetorical theory aspires. The disdain that Quintilian expresses for philosophy is a clear demonstration that rhetoric could even go further along this path than Cicero envisaged. In Quintilian, rhetoric becomes the master discourse: a way of exploring and categorizing utterances of all kinds, including poetry. The work of literature is to inspire and feed the orator, and the orator embodies the Roman state in action. We find ourselves in the world where the opposition between rhetoric and literature has collapsed, as rhetoric provides the only frame of reference within which the qualities of literature (style, emotional effect, structure) will be discussed. But this is merely one very particular theoretical approach, and we cannot take Quintilian as a neutral witness, the author of a purely descriptive account of the position of rhetoric. He may demonstrate the success of one well-defined theoretical strand, but the extremity of his position reminds us that rhetorical theory is, by its very nature, bound to overemphasize the centrality of rhetoric; when we look more closely at Cicero's approach to rhetorical theory, it will be clear how much special pleading this high valuation of rhetoric requires. How we view the category of literature in relation to these developments requires us to look further at what we understand that term to include.

Rhetoric outside Literature? The Problem of Using Rhetorical Theory as Evidence

The close intersection between rhetorical and literary is most evident in the practice of declamation, a practice central to all rhetorical education from the late republic onward. In declamation it is impossible to draw any firm line between hypothetical rhetorical situations derived from mythological or literary settings, and the apparent "real life" situations for which such a training was intended to equip the orator. Declamation treats both history and mythology (as well, in some cases, as literary themes themselves) as a form of text, to be reworked as the basis for the stylistic and formal improvement of the individual orator. The theories of style and of structure which underpin such developments presuppose a focus not upon the political or legal act, but upon the skills of the orator, who, by virtue of techniques that are largely literary, is transformed into a creature who is most effective if he can transcend his own historical setting; he is equipped for all hypothetical situations, and unconnected with any particular ones. The success of rhetorical theory (and rhetorical handbooks from Rome had an extensive afterlife) is due precisely to the fact that it provides rules which can be applied in any situation. Like Thucydides' emphasis upon the literariness of history, rhetorical theory depends upon generalizing: about the subjects which will work in particular contexts (*topics*) as much as the particular techniques of style which will best express them. This is a way of thinking that builds its schemes of classification by extracting generalities from history and committing them to written rules. The performative dynamics of the rhetorical occasion are quickly buried in a form of description which is literary. So to work on rhetoric, to study it, and to find ways of doing it better, is an activity grounded in texts, rather than in performance itself.

Even if we look to the beginnings of rhetorical self-awareness in Rome, with Cicero, it is far from clear that his influential vision of a republic of orator statesmen can be thought of as more than a literary version of Roman history. There is a strong possibility Cicero was projecting his own rather theoretical and literary perspective

on rhetoric onto a wider canvas, wanting to vindicate his own career, and to generalize from his own experience onto that of the whole of the governing class at Rome. We need to examine his theories in more detail, and ask whether Cicero's theoretical work on rhetoric is actually relevant to those without his unusually developed literary interests. In a similar manner, we need to remain aware of the possibility that literary genres, whatever influence rhetorical training may have had on their authors, actually belong to a different category of texts, with little contact to the public arena which was the home of rhetoric. Central to understanding this nexus of ideas is the relationship of rhetorical theory to the work that it purports to describe: the oral performance and the political and legal occasion, supposedly the very substance of Roman history itself.

Cicero represented the pinnacle of rhetorical achievement at Rome, but he was also its pioneer. Because in addition he was also the last great orator of the free republic, he is a pivotal figure for the notion of a change in the place of rhetoric at Rome: under the republic, we have a picture of rhetoric as the discourse of political power, the medium in which the political life of Rome took place, a city in which political decisions depended upon victory in debate or in the court, and where an ability to sway the mob ensured political power. Under the emperors, the picture changes, as the political institutions of the empire become a shadow of their republican forerunners, and where in spite of the rhetorical prowess of senators, political power actually resides elsewhere. This is, in outline, the image of the decline in rhetoric described in the *Dialogus de Oratoribus* of Tacitus. Rhetoric in this context becomes an accomplishment of the leisured elite, sometimes an act of resistance but more frequently an educational device that allows a sense of a shared cultural heritage to be transmitted, of which the most permanent realization will be a vote of thanks to the emperor rather than a life-or-death struggle for power in the senate house. This literary rhetoric is the kind we find in the younger Pliny, with his self-conscious way of talking about his rhetorical achievements, as opposed to the more dangerous world inhabited by Cicero. Imperial rhetoric is a more literary form, cultivated by those with an interest in reading and pursuing an advanced education: it is in some senses a decline from a form of rhetoric developed with the main aim of acquiring and exercising political power. It is an easy step from such a view of imperial rhetoric to the notion of a literature (typified by Ovid or Lucan) where figures on the fringes of the political mainstream exercise the same rhetorical skills that they acquired in the schools of declamation in a self-consciously rhetorical form of poetry, and the notion of a rhetorical training influencing literature rests upon such a distinction between the rhetoric of the schoolroom, and the rhetoric of real politics in the republic.

Although such a picture can be supported by historical evidence, it is distorted (see chapters 9 and 24), not so much for its vision of a decline in the association of rhetoric with political power in the empire as for its unrealistic view of the central role of rhetoric in the political processes of the republic. This is why Cicero's role is so crucial: certainly Cicero presents a very strong case for the notion that rhetoric was the discourse of power in the republic, but much of this case should be regarded as a form of self-justification. Cicero cannot be taken as typical of the governing class of the late republic, and still less should the image that emerges in many of his works, of Rome as a city where political institutions revolve around rhetorical skill, be taken at face value. Fortunately, the survival of so much of Cicero's work makes it possible

to argue a strong case. In works such as *De Oratore* and *Brutus*, Cicero confronts directly the conflict between an idealized view of Rome, where rhetoric and political power are inseparable, and a more realistic analysis, where rhetoric is shown to have played only a marginal role in the history of Rome. This conflict mirrors Cicero's own position, as the exceptionally brilliant child of an obscure, if respectable family, whose career, like that of his less successful brother, was founded upon an unusually thorough education and remarkable rhetorical skill. Oratory certainly enabled Cicero to achieve public prominence through his success as a defense lawyer, and in that sense, can be reasonably thought of as the force that broke through traditional republican power structures to act as a form of social opportunity; but even in *Brutus*, his chronicle of the rhetorical achievements of Rome's statesmen through the ages, we find that rhetoric is an accomplishment that statesmen either possess, or more often, do not possess. Their power seldom derives, as Cicero felt that his own did, from rhetorical skill.

So although there are places where Cicero seems to idealize his own society as one where rhetoric was the key to political power, there are also other places where this can be seen to be something of a nostalgic fantasy. The image of the late republic as a hotbed of rhetorical self-awareness and skill may have some historical truth to it. But at the hands of Cicero, it becomes much more clearly a literary fantasy, one that is then happily indulged in during the more nostalgic moments of later theoretical writings. We cannot judge, of course, how far Cicero is exaggerating the importance of rhetorical skill in late republican politics. Julius Caesar's highly developed interest in language is interesting, but not wholly relevant evidence. But what is clear is that when Cicero represents rhetoric as synonymous with the practice of Roman statecraft, he does so in highly artificial historical fictions (in *De Oratore*), or in ironic historical genealogy (in *Brutus*). Cicero may have wished that rhetorical skill were the key to power at Rome, but he also knows clearly that it is not the case. These beginnings of rhetorical theory in Latin demonstrate the difficulty of looking beyond literature for a trace of a fundamentally oral or performative form of rhetoric. The story that we tell about rhetoric in order to assess its place in the world is bound to give it a literary quality.

The Interpretation of Rhetorical Discourse: Rhetoric, Literature, and Power

Cicero dramatizes the conflict between rhetorical aspirations and the central issues of Roman political life in his representations of the elite of his time and their ancestors, but the same conflict is in turn dramatized by his own life, and has motivated the different historical evaluations of Cicero which characterize his reputation in the modern period. Most importantly, for Theodor Mommsen (expanding the even more negative assessment of the pioneering historical biographer Drumann), Cicero was a political failure and a frustrated man of letters. Mommsen was responding to the sense that emerges from Cicero's writings of a thwarted ambition to use literary prowess to compensate for a lack of political will. In this extremely influential analysis, Cicero's literary skill was interpreted as the expression of an inability to recognize and work with the main political forces of his day, and Cicero comes across, therefore, as

someone lacking either firm political principles or any sort of political vision. Literary interests, and in particular rhetorical ones, robbed Cicero of the ability to form sound judgment: the moral relativism necessary to be an effective advocate was, in Mommsen's view, incompatible with effective political vision. Cicero's rhetorical skill deprived him of the ability to take up a principled political stance, and his attempt to put across the skill as the cornerstone of political success at Rome was an act of vanity that rested on a vast overestimation of his own importance.

As I shall explore in more detail below, such an analysis builds upon a view of literature as something different from real life (essentially a view dominant from the eighteenth century onwards), and of rhetoric as an activity that could be demarcated from other ways of exercising political and social power. The latter view has, as I have already suggested, some corroboration within Cicero's own writings, and the later developments in rhetorical training at Rome (principally the rise of declamation) do perhaps support the idea of rhetoric as a literary rather than political activity, a social and cultural adornment, rather than the essence of social power itself. There have, however, been recent developments in our approach to this problem at Rome which have shown a way of moving beyond the intractable polarity between "rhetoric" and "politics" or between "literature" and "real life." Gleason's work in particular (Gleason 1995) has led to a reevaluation of the social significance of rhetoric that goes beyond the narrow definition of politics, to suggest that even in the more literary forms of rhetorical expression (ones essentially epideictic in origin, for example), the forces of social conditioning can be clearly seen (see too Vasaly 1993; Habinek 1998a). This work is a useful corrective: it suggests that at Rome, it is wrong to see political power and social (even sexual) status as operating in different areas. What is different about this approach is its attitude to the question of political power.

Traditionally, both by the Romans themselves, and by much modern historiography (particularly in the twentieth century), political power at Rome was equated with the holding of particular magistracies or military commands. The *cursus honorum*, Rome's clearly structured career ladder, with its blend of civic and military posts, provided a way of measuring the power of any individual; the tussles around elections which are recorded in such detail in Cicero's letters and some speeches, and the manner in which constitutional powers were exceeded in the final generations of the republic, provided the main way of measuring the status of the individual citizen. However, with changes in approaches to historical evidence that reflect the rise of the newer disciplines of sociology and social/cultural studies, political power has come to be viewed in a less specific manner, and a different approach has developed with regard to the question of literary and visual representation: representations of power and status can be regarded not just as an account of that power but also as a positive enactment of it. So political power is beginning to be thought of as a combination of different areas: social status; social networks that place the individual in a context; self-image; and the development of self-image in relation to other images, which at Rome are often from history and mythology. The enormous role played by images in the concretization of the power particularly of the emperor Augustus (Zanker 1988) has led to a much greater awareness of the role played by visual imagery in conferring and reinforcing political power; in this light, the active role of literary representation in conferring and sustaining power has also been revealed.

In Augustus' case, his rule rested upon a power that, while accompanied by constitutional measures, could not be adequately explained by them. His contemporaries called this *auctoritas*, which was crucial to the political power examined by Cicero in *De Republica* as a phenomenon that resided outside clear constitutional forms (1.12, 2.15, 2.56–61). We might call this power “ideology” – the constellations of ideas and mental images that grant any individual or group an aura of superiority or special privilege. In the most recent scholarship on rhetorical texts, the function of rhetoric in granting ideological power has begun to be explored (e.g., Gleason 1995; Bloomer 1997a, 1997c). We can now think about how rhetorical texts themselves express the valences of power of their speaker. Crucially this power is not something to which the speech or even the theoretical writing alludes; rather, it is created anew within the text itself as it is read. The image of the speaker that emerges from the text gives us an understanding of value systems precisely because such value systems were preserved and perpetuated within these texts.

This approach sees rhetorical texts themselves as a form of social performance, and in so doing, refutes any idea of a space between the world of rhetorical activity and the record of that activity in the texts. The images created in the rhetorical presentation are enactments of social and political power, even if those take the form of references to the sexuality of individuals, or the particular historical events. In Cicero's *Pro Caelio*, to take a well-known example, we can see how Cicero manages simultaneously to castigate Clodia for her immorality, and to excuse Caelius for his involvement with her. He makes much witty use of cultural stereotypes from the comedy of Terence. However, the main thrust of his rhetoric is directed at producing a consensus, and a sense of identification, between himself and his audience. The moral inconsistencies displayed in his argument are much less important than the pull that Cicero exerts on his audience to coerce them into a sense of simultaneous moral indignation and forgiveness; he creates an inescapable sense, here as in many of his speeches, of what “people like us” should think, and how, accordingly, they should act. Roman social values are being both explored and produced.

Modern Ideas of the Separateness of Literature

It is symptomatic of the way in which classical studies has developed as a discipline that a section on theories of interpretation should come at the end of this chapter. Thus far this chapter has explored the categories “rhetoric” and “literature” as though they themselves were an appropriate way of looking at Roman textual production in its own unique historical conditions. However, the difficulty of finding clear distinctions between these areas has been apparent throughout this chapter, which has skirted around the edges of these terms looking at ways in which tensions within Roman conceptions of rhetoric can respond to a modern concern about the relationship between rhetoric and literature. It would have been easier to begin with a theoretical attack on the concepts to demonstrate that they assumed a separation of ideas resulting from mental structures that have evolved over the last three centuries. There would then have been no need for a chapter on what was in effect a nonexistent topic; moreover readers, unused to theoretical discussions within the context of a general work on Roman rhetoric, would be deterred by a discussion that began with

“hermeneutics.” Yet it is an understanding of hermeneutics that holds the key to the appreciation of how rhetoric works at Rome: by attempting to “unthink” the categories with which we approach ancient texts, in particular the largely unconscious assumptions about how to approach literature, we can arrive at an understanding of Rome that is less colored by conceptions that only have a remote connection to it.

Because, however, hermeneutics is a general term, and not one of broad currency even among professional scholars, it is necessary for me to present an outline of its function. Hermeneutics is in origin a theory of literary criticism that developed out of the special problems raised by reading the Bible and related texts. It began with the question of how to reconcile a historical understanding of these texts with interpretations inflected by matters of faith and dogma. In its most exhaustive elaboration (Gadamer 1989²) hermeneutics is the theory of how questions of history relate to the reading of texts. Gadamer begins by pointing out how even concepts that we employ without giving them much thought, concepts such as “taste” or “common sense,” have in fact their own, very specific histories, and carry with them strong connotations that make them inappropriate for other historical contexts. Gadamer then proceeds to explore a method by which we can develop greater awareness of our own critical concepts; in essence, this charting of the history of changing ways of looking at texts developed into the branch of criticism known as “reception.” Its aim was to arrive at a better understanding of the original text by unraveling the many layers of interpretation which had accumulated over time, thus producing simultaneously an understanding of the text, of the critical position of the reader, and thirdly, of how the critical position had developed out of the accumulated reinterpretations of the text. Scholarship in the field of reception has in practice rarely maintained its connection with the hermeneutic impulses from which it developed, and has become more like a variety of comparative literary criticism, comparing different incarnations of similar ideas and themes. Unfortunately it has lost, in particular, its emphasis upon clarifying and exploring the critical concepts which structure the approach of the modern reader to historical texts.

In this case, it is our conceptions of rhetoric and literature that require more careful examination. Even a cursory glance will reveal that neither category is particularly well suited to an appreciation of Roman textual production. Literature, as a way of grouping together a group of texts, is itself a form of demarcation that is difficult to apply to Rome. The causes for the modern demarcation of literature as a separate category are conventionally ascribed to the transition between the thinking of the Enlightenment and Romantic periods which took place between the eighteenth and nineteenth centuries. There are two main developments at the center of this change in mentality which have, along with many other factors, shaped our intellectual world into something substantially different from the Roman one. The first is the growth of academic specialization and the production of academic disciplines: this has led us to treat as much more concrete the boundaries of such terms as rhetoric, history, politics, and poetry. Particularly, perhaps, since our own examination of the classical world operates from within the academy, these specialisms have a profound effect not only upon how we categorize ancient texts (largely into “sources” of different kinds), but also how we assume those texts were produced. We group poets, without much thought, into different genres from philosophers or historians, and although there clearly are well-developed generic boundaries operating in Rome, these do not have

the same significance as their modern disciplinary equivalents. Historiography is a good example. Roman historiography is so vastly different from its modern counterpart that modern readers are still to a large extent unable to give an effective account of the relationship between historiography and other forms of communication about Rome's past, or indeed, between historiography and rhetoric. The disciplinary boundaries of our own time are easily projected onto significantly different Roman equivalents, but it is difficult for us to liberate ourselves from our own preconceptions and appreciate that at Rome, the representation of the past had a much wider social significance than it does in the work of today's professional historians.

Literature, as a term, contains a wide range of preconceptions inappropriate to the Roman context. The second major development in modern conceptions that is relevant to this discussion is the clear demarcation of aesthetics from politics. This is a division most explicitly explored by Immanuel Kant, and reinforced by the philosophers of Romanticism. The world of art and the experience of art came to be seen as distinct from other aspects of human expression and experience, and aesthetics became defined likewise as a separate branch of philosophy. This represents an extremely important shift in understanding, giving rise to a different conception of authorship: after Romanticism, the author becomes defined by the idea of artistic genius, a form of creativity characterized by its emphasis upon the individual, rather than, as we find in the Roman rhetorical context, the role of the individual within a community of similar speakers. Similarly, artistic and literary production becomes regarded as different from other aspects of social reality; entertainment occupies a different mental realm from politics or society.

Education too becomes a specialist activity, and this has an enormous effect upon the significance of rhetoric. As the exploration of the formal qualities of texts or oral performances, rhetoric does act as the forerunner of modern literary criticism, and a rhetorical approach to literary analysis can still be employed today. However, this continuity is misleading, since the idea of "formal analysis," where the stylistic is clearly distinguished from the moral, is a reflection of a post-Romantic mindset, one that would have been virtually meaningless to ancient writers. A rhetorical education, up until around the middle of the eighteenth century, was something which aimed to produce effective citizens, in a manner which would have been recognizable to Cicero or Quintilian. The robust defense of rhetoric mounted by Vico (1668–1744), against what he saw as the pointless specialism of scientific knowledge, is among the last attempts to maintain a clear continuity with the educational values of antiquity, a system in which the development of skill in style and language was indivisible from the development of a sense of social and moral purpose (see Vico 2000; Pompa 2002). Vico's ultimate ancestor was, of course, Cicero, who provides so many models of the integration of rhetorical expertise with political responsibility (however idealized those may be). So while some of the essays in this volume use rhetoric as a tool of literary criticism which appears to match the historical context of the terminology to that of the texts under discussion, we must not mistake this for continuity in understanding or interpretation of the text. Our own preconceptions about the function of literature make any such continuity highly problematic. Formal analysis in antiquity does not have the same context, and the moral and educative functions of ancient texts are not readily separable from their rhetorical techniques. Again, historiography provides useful, if extreme, examples. In criticizing the style

of Thucydides, Dionysius seems unable to distinguish between stylistic, moral, and historical criticism. When writing the Melian dialogue, Thucydides is guilty, in Dionysius' view, of producing bad Greek style, distorting historical events, and attempting to exert a negative moral effect upon his readers (Fox 1996: 71–4). Modern categories, such as rhetoric, literature, politics, or even philosophy, cannot readily account for a much more holistic attitude toward the creation and consumption of texts, of which Dionysius' criticisms are but one example.

So the creation of the disciplines, and the demarcation of the aesthetic from the moral, political, and social arena, have produced a mindset which is almost inescapable, and which poses considerable challenges to the appreciation of the different ways of thinking that existed before. The notion of the literary genius, for example, as someone estranged from the world and capable, therefore, of particularly shattering insights into it, is a Romantic notion with no counterpart in ancient thought. The Romantic idea of literary genius, in turn, shapes our idea of what an author is, and, by extension, what an author is doing in producing literature. All of these ideas so dominate our perceptions about what literature is for, that the Roman context can only be grasped intermittently and with considerable effort.

Conclusions

We need to use the terms “rhetoric” and “literature” with some caution. It is clear that the boundaries between the written world and the world of lived experience are different in the Roman context from how we experience them. If we approach Roman rhetoric with that in mind, and with an awareness of the difference between our understanding of rhetoric and the Roman one, then the study of texts as expressions of the social forces of their time will continue to shed light upon how Roman rhetoric exerted its effect in different kinds of representation. We should be wary of limiting that effect to formal qualities, however, and focus instead upon the persuasive strategies and social function of textual representation. However, as Cicero's theoretical writings make clear, the situation at Rome is ambiguous: political power and rhetoric do not have a direct relationship; and the relationship between poetry and politics is even more contentious. There are clearly moments where a reading of Roman texts will suggest points of contact between ancient and modern conceptions of the role of literature. The Augustan poets' insistence on poetry as a form of social resistance is the most important example, as it seems to suggest that literature is a place where the world of the artist is different from the social world. Again, however, this continuity is only of partial value; it needs to be balanced by an understanding of the representative function of poetry, that is, by the rhetorical techniques whereby poetry is integrated within a network of social values, values which, although they may be explored, are also in the process being restated.

In parallel to the social focus of recent studies of rhetoric, criticism of poetry is now also moving toward a more holistic approach which integrates the study of formal aspects with the political and social reality (see, e.g., Barchiesi 1997; Feeney 1998). These trends are positive, but we must be aware of the difficulty of assuming too close a match between rhetorical representation and lived reality. Texts at Rome represent a wide range of different positions: philosophers can be castigated for being irrelevant

to the concerns of real life; Roman historians routinely base their vision of decline upon a distinction between the immoral world they are describing, and the much more moral world of their projected readership; which of these is more real than the other it is impossible to say. If rhetoric and literature is about dividing up experience into different categories, then we need, when thinking about Rome, to ensure that those categories do not become rigid, and that in looking at the rhetorical effect of individual pieces of writing, we do not turn a blind eye to inconsistencies or ambiguities in the status of the texts themselves.

FURTHER READING

This survey chapter necessarily touches swiftly on many points that are tackled in more detail elsewhere in this volume, so only a few suggestions are made here for those wishing to follow up particular arguments. For information on the circulation of texts, and the likely forms of reading implied, see Starr (1987) and Habinek (1998a), in particular chapter 5 entitled “Writing as Social Performance.” The prejudice against rhetoric is exhaustively examined by Vickers (1988). For the difficulty of real life and representation in Cicero, see S. Butler (2002) and Vasaly (1993). Gleason (1995) breaks new ground on the relationship between gender, sexuality, and rhetoric; she is part of a wider trend in the reassessment of the sophists of the early empire: see Swain (1996) and Goldhill (1995b); Gruen (1992) makes it clear that we need to think of the Roman world as part of this Greek world (rather than being separate from it) and that there is much to be learned about Roman rhetoric from the contemporary Greek scene. On declamation Russell (1983) is still vital. On Rome the seminal contribution is Beard (1993); these ideas have now been explored in greater detail in Gunderson (2003). On hermeneutics Gadamer (1989²) gives a classic account of the shift in sensibilities marked by Romanticism; Eagleton (1990) gives an accessible treatment of some of the same material; and Dostal (2002) provides a companion to Gadamer (1989²).

CHAPTER TWENTY-EIGHT

Rhetoric and Epic: Vergil's *Aeneid* and Lucan's *Bellum Civile*

Emanuele Narducci

Vergil

The role played by rhetoric in the *Aeneid* of Vergil differs quite markedly from its role in Lucan. In the former, rhetoric features in only certain specific aspects of the poem; in the latter, it proves to be practically all-pervasive. Indeed, as we shall see, critics have coined the term “rhetorical epic” in order to describe the *Bellum Civile*. This perspective, however, as we shall also see, can be accepted nowadays only with various qualifications and reservations. Rhetoric and its techniques were naturally a part of Vergil’s wide-ranging education (Heinze 1915: 431–5). In the *Aeneid* they are evident above all in its numerous speeches: oratory, with its great variety of forms, represents an essential part of the poem, as had already been the case in Homer (La Penna 2002: 172). Indeed, it was the extensive role played by speeches in the *Aeneid*, together with the enormous importance of rhetoric in the education and the culture of antiquity, that soon led ancient critics to emphasize the role of rhetoric in Vergil’s poem. Quintilian often quotes speeches from Vergil in his *Institutio Oratoria* in order to illustrate figures of speech such as apostrophe, irony, and so on (Highet 1972: 3); on the whole, however, he is well aware of the difference between epic poetry and oratory, and when, in book 10, he discusses Vergil’s literary merits, he treats him exclusively as a poet (*Inst.* 10.1.85–6). This difference was largely overlooked by subsequent grammarians, who began to look at the whole *Aeneid* as a work of “oratory,” while the professional teachers of rhetoric made widespread use of Vergil’s text to illustrate the principles of their art. It thus became common to pose the question whether Vergil was more important as an orator or as a poet. At the beginning of the second century CE, Publius Annius Florus wrote a dialogue (no longer extant) with the title *Vergilius: Orator an Poeta*? Subsequently, the commentators of late antiquity (Servius, Servius Danielinus, and in particular Tiberius Claudius Donatus) arrived at the conclusion that

the *Aeneid* was largely constructed on the basis of the precepts of rhetoric. While scholars nowadays no longer subscribe to this kind of hypothesis, the reassessment of the role of rhetoric in the *Aeneid* that has taken place in the last few decades has sometimes overstepped the mark.

The heritage of Vergil's rhetorical education best emerges from the speeches delivered before assemblies and in "diplomatic" contexts. An excellent example of this latter kind of speech is the one that Ilioneus (the most eloquent of the Trojans after Aeneas) makes before Dido, one in which ancient commentators note the presence of specific rhetorical *loci communes* (*Aen.* 1.522–58). Ilioneus begins with a highly skillful *exordium* whose aim is – as Servius had already pointed out in his note on this passage (Milanese 1985: 913–14) – to win the benevolence of the queen for the Trojan exiles, by praising her personality and her achievements:

o regina, novam cui condere Iuppiter urbem
iustitiaque dedit gentes frenare superbas.

(Vergil, *Aeneid* 1.522–3; tr. Lewis 1952)

O queen, who, under God, have founded a new city
And curbed the arrogance of proud clans with your justice.

By using the word *regina* to refer to Dido, Ilioneus insists on her responsibility to protect supplicants and reminds her that her city is founded on just principles guaranteed by Jupiter himself (*nova urbs* translates here the Punic name of Carthage).

This introduction is followed by a plea that aims to arouse the queen's pity (1.529–39). We might detect here the rhetorical technique of *miseratio*, but in the words of Ilioneus, the plea is inseparably combined with a *narratio* and an *argumentatio*. Ilioneus relates what has happened to the Trojans and seeks to reassure the queen: Aeneas and his companions are sailing toward Italy and are only asking for hospitality for a brief time. This is followed by another supplication and another *argumentatio* (where we find mention of Aeneas, whose fate is unknown to Ilioneus, although the latter hopes he has not drowned in the storm). The speech finishes with a lengthy final supplication, where we are more inclined to identify a *propositio* than a *peroratio*: Ilioneus asks permission for the Trojans to repair their ships, and then to leave (Highet 1972: 52–3).

As can be seen, the correspondences here with the techniques of rhetoric are far from insignificant. Nevertheless Ilioneus' speech does not exhibit the compositional structure set forth in rhetorical theory based on the sequence of *exordium*, *narratio*, *propositio*, *argumentatio*, *refutatio*, and *peroratio*. This difference may perhaps lead us to a preliminary conclusion: Vergil does not construct his speeches according to the principles codified in rhetorical teaching, but he has a good knowledge of the *loci communes* of rhetoric and he bears them in mind whenever they may be of use to him (La Penna 2002: 172). Naturally we should remember that orators and rhetoricians could themselves derive their *loci communes* from poetic texts or from literary texts in general; likewise it should be noted that even an outstanding orator like Cicero was careful in his speeches not to follow too rigorously the rigid structural divisions proposed by the manuals of rhetoric; in fact, Cicero himself had stated explicitly in his *De Oratore* that it was not the art of orators that had developed from the precepts

of rhetoricians but rather the examples of the leading orators that had influenced rhetorical codification.

Ilioneus delivers another speech of the same tenor and of the same length before King Latinus (*Aen.* 7.213–48, although the fact that the last line is incomplete may suggest that Vergil intended to develop this speech further). There is a clear structural parallelism between the two speeches of Ilioneus, which occur respectively at the beginning of the “Odyssey-like” and the “Iliad-like” parts of the *Aeneid*. Most of his speech in book 7 is devoted to the *narratio* of what has happened to the Trojans and is related in the “grand” style: Ilioneus exalts the past glory of Troy and insists on the fact that Aeneas and the Trojans descend from Jupiter. This section of his speech culminates in the memory of the universal renown that accompanied the Trojan war and is related in a series of rich, superbly constructed expressions:

quanta per Idaeos saevis effusa Mycenis
tempestas ierit campos, quibus actus uterque
Europae atque Asiae fatis concurrerit orbis,
audii et si quem tellus extrema refuso
summovet Oceano et si quem extenta plagarum
quattuor in medio dirimit plaga solis iniqui.

(Vergil, *Aeneid* 7.222–7; tr. Lewis 1952)

How terrible a storm, unleashed from cruel Mycenae,
Burst over the plains of Ida; how destiny compelled
A war between East and West, the collision of Europe and Asia –
All have heard this: it is known in remotest lands where Ocean
Breaks on the earth’s rim, known where the tyrant sun cuts off.

The following *argumentatio* insists on the power of fate and the Italic origins of Dardanus, the ancestor of the Trojans (7.231–42); this is followed by the offering of gifts (7.243–8). The final, unwritten part of the speech might have been destined to contain a supplication with the function of a *propositio* and possibly a *peroratio* (Highet 1972: 53–5).

The most extensive and cogent rhetorical debate in the *Aeneid* is the one that takes place in book 11 in the council of King Latinus after the defeat of the Latin army. Four speeches are reported in full, and they all follow the “deliberative” pattern even if each of them contains its own variations and individual colorings (Highet 1972: 55–65; La Penna 2002: 169–70). The ambassador Venulus begins by reporting the answer of Diomedes, who refuses to renew hostilities or fight further against the Trojans and offers sincere praise for Aeneas as a patriot and a warrior (*Aen.* 11.252–93). Diomedes’ speech describes at some length the distressing experiences of the Greeks after the destruction of Troy (11.255–77), a real *tour de force* on Vergil’s part seeing that he sums up in little more than twenty lines the *nostoi* (“homecomings”) of the Greek heroes from Troy culminating in the transformation of Diomedes’ men into sea-birds. This description is followed by an extremely short *propositio* (*ne vero, ne me ad tales impellite pugnas!*, “no, no, don’t push me into another war like that!”, 11.278), the *argumentatio* of Diomedes’ refusal (11.279–92), and his final exhortation not to fight against the Trojans (11.293ff.). The following speech by Latinus

(11.302–35) is influenced by the form that speeches often take in writers of history: the king first of all invites the members of the council to reflect on their defeat and on the dangers that are looming; he then proposes a treaty with the Trojans and finally invites his council to come to a decision.

The speeches made by Drances and Turnus echo some of the passions that raged in the political debates during the final period of the Roman republic. The words of the demagogue Drances (11.343–75) recall the fiery speeches of certain tribunes of the plebs: in an attempt to sway the council in favor of Latinus' ideas, Drances attacks his adversary, Turnus, as an aristocrat who wants to repress the freedom of speech and the legislative power of the plebs. He proposes an agreement with Aeneas, which includes his marriage to Lavinia, and he ends up with a sarcastic *commiseratio* addressed to Turnus and alluding to the sufferings and the massacres of the plebs. Turnus responds with a violent reply (11.378–444): he accuses the demagogue of cowardice (11.378–91) and scornfully rejects the accusations of cowardice directed at him (*refutatio*: 11.392–409); he then addresses the king in a calmer tone of voice, trying to inspire confidence in the possibility of victory under his own guidance (11.411–33); lastly, he declares that he is willing to fight a duel with Aeneas, presenting the offer as a sort of *devotio* for the community. Thus, from an initial explosion of *violentia*, Turnus arrives at a sober expression of courage, sense of honor, and acceptance of his destiny.

Another important debate in the *Aeneid* is the one that takes place in the assembly of the gods, at the beginning of book 10 (*Aen.* 10.1–117; cf. Highet 1972: 65–72; La Penna 2002: 170). The function of Jupiter, the head of the gods, is particularly important: he is unaffected by any kind of passion and Vergil assigns to him the task of interpreting and supporting the decisions of fate. In the introduction (10.6–15), Jupiter rebukes the gods for their quarreling and their untimely interference, and his final orders are even more serious (10.104–13). By contrast, the speeches of Venus and Juno are highly emotional, and we can discern here the influence of the part of rhetoric that aimed primarily to sway (*movere*) the passions of the audience (Setaioli 1985: 104). The first half (10.18–43) of Venus' speech (10.18–62) is a *commiseratio* of the Trojans and at the same time a protest against Juno's hostility; the second half is a supplication initially aiming to save Ascanius and subsequently pleading for the higher objective of the resurrection of Troy. Thus, through her supposedly modest request to save the young son of Aeneas, Venus in reality tries to persuade Jupiter to condemn Juno's behavior and stop her from persisting in her persecution of the Trojans in the future. This is an "oblique" kind of discourse that hides its real intentions behind a different presentation of the facts, to which writers on rhetoric gave the name of *schema* (Highet 1972: 66). Juno's reply is angry and vehement, and mainly takes the form of a violent and overwhelming series of questions (10.65–95). This *refutatio* of the accusations directed at her functions also as a condemnation of the actions of the Trojans and Venus, one that distorts the facts of the situation to a degree uncommon even in the most passionate rhetoric (a technique known in the rhetorical terminology as *remotio* or *translatio criminis*); the goddess concludes with a brief *peroratio* highly charged with *indignatio* (10.94–5).

Traces of "diplomatic" rhetoric can be seen also in the speech that Aeneas delivers to Dido when he is about to leave her in book 4. Forced to submit to the will of destiny, Aeneas must suppress the sorrow in his heart and leave Carthage, perhaps

unaware of the great suffering that his departure will bring the queen. His problem in rhetorical terms becomes one of “diplomacy”: how to alleviate and soothe Dido’s passion, and how to discuss the matter:

heu quid agat? quo nunc reginam ambire furentem
audeat adfatu? quae prima exordia sumat?

(Vergil, *Aeneid* 4.282–3; tr. Lewis 1952)

But oh, what was he to do? What words could he find to get round
The temperamental queen? How broach the matter to her?

The verb *ambire* here would have reminded Roman readers of the sphere of politics and electoral propaganda, while the noun *exordium*, a term that originally came from the field of weaving, had become closely associated through rhetoric and oratory with the beginning of a speech (although this association with the oratorical sphere should not be pushed too far perhaps, since similar uses of the term are also found in Greek dramatic poetry; La Penna 1966: lx–lxi). Subsequently Aeneas starts to search for *mollissima fandi tempora* (“the most tender moment for speaking”) and *rebus dexter modus* (“a manner suited for this purpose,” *Aen.* 4.293–4) for his conversation with the queen: here, too, the language is that of a prudent diplomat. In fact, Aeneas does not succeed in his plan because the queen soon realizes that the Trojans are preparing to depart, and she furiously starts hurling abuse at him. While Aeneas in his answer displays genuine feelings of sorrow and tenderness, it is above all the expression *pro re pauca loquar* (“I shall say a few things in my defense,” 4.337) that is influenced by the language of legal oratory. Aeneas goes on to explain abruptly to the queen that he has never viewed their relationship as a marriage and that the only object of his love is the aim of his mission.

Many of the numerous other speeches in the *Aeneid* can be viewed primarily as expressions of emotion or *pathos* influenced both by the personality of the speaker and by the narrative context. (Vergil usually maintains very close links with the concrete dramatic situation and, unlike Ovid, abstains from abstract rhetorical discussions; see Heinze 1915: 434; La Penna 2002: 171.) The monologues in particular are deeply infused with emotion, especially the three pronounced by Dido in book 4 (4.534–52, 590–629, 651–62), each of which differs markedly in tone from the others; these speeches emphasize the increasing loneliness of the queen as she pursues her suicidal course.

In such speeches the poetic tradition – and in particular that of tragedy – is far more important than that of rhetoric, yet it is impossible to make a neat, clear-cut distinction between the two. This is true in particular of several funeral laments of outstanding literary merit in the *Aeneid*. In his comment on the lament of the mother of Euryalus, Servius points out that her *conquestio* is full of the *ars rhetorica* (see his note *ad Aen.* 9.479), and refers to the section of *De Inventione* (1.106–9) where Cicero lists the *topoi* that are useful to arouse pity. Of course, not all the *topoi* listed by Cicero are actually found in the lament of the mother of Euryalus, but in several cases the comparison presented by Servius proves to be useful (La Penna 1983: 332).

Primarily in the speeches inspired by *pathos* and by the need to sway the emotions, but also in others of the more skillfully “diplomatic” kind, Vergil shows that he is well

aware of the power of rhetoric to distort and falsify reality: thus, for example, the extremely cunning speech of Sinon to the Trojans in book 2 of the poem is no less distorting than Juno's furious words before the assembly of the gods. The conclusion has been drawn from this that Vergil is profoundly diffident toward rhetoric since it is "the art of telling lies" (Highet 1972: 283–5), but there is good reason to question this interpretation. The distorting power of rhetoric was well known. Cicero, for example, considered that the supreme ability of the orator lay in the capacity to lead the hearts and minds of his listeners where he wanted. This function was also well known to a teacher of rhetoric like Quintilian, who remarked that, when Cicero boasted after the trial of Cluentius that he had blurred the vision of his listeners, the vision of Cicero himself on that occasion had certainly not been blurred (*Inst.* 2.17.21). Elsewhere Quintilian himself wrote: *ubi vero animis iudicum vis adferenda est et ab ipsa veri contemplatione abducenda mens, ibi proprium oratoris opus est* ("the peculiar task of the orator arises when the minds of the judges require force to move them, and their thoughts have actually to be led away from the contemplation of the truth," *Inst.* 6.2.5; tr. H. Butler 1920). It seems unlikely, then, that Vergil had in mind some "philosophical" (in the Platonic sense) condemnation of rhetoric: rather, the speeches in the *Aeneid* present a "mimesis" of oratorical discourse and its various, often irresistible potentialities.

Lucan

It has long been customary for critics to apply the term "rhetorical epic" to the *Bellum Civile* (or *Pharsalia*) by Marcus Annaeus Lucanus. This definition appears to be based on that of "rhetorical tragedy" (*tragoedia rhetorica*), which Leo coined with regard to Seneca's plays. For Leo, Seneca's rhetorical tragedy was characterized by various features: the continual search for *pathos* (which was preferred over *ethos*); the use and abuse of a complex sententiousness; the general proliferation of rhetorical *colores*; and a frequent narrative "discontinuity" deriving from the tendency to sacrifice the consistency of the plot and the characters in order to achieve momentary "effects," which vary throughout the sequence of different scenes and are intended on each occasion to elicit the applause of the listeners (Leo 1878: 147–59).

While these may be considered to be the basic coordinates of a "rhetorical" style, it is in fact not at all easy in Lucan's *Bellum Civile* to separate those elements which have a rhetorical origin from those which derive from a poetic or generally literary inspiration (Rutz 1970: 255–7). This difficulty is due to the fact that rhetoric (in particular the rhetoric favored by professional declaimers) had permeated all the literary genres of the time. Lucan was obviously under the influence of the tastes of his uncle Seneca; and it is equally clear that both of them were influenced by the poetry of Ovid, who had received a wide-ranging education in the halls of declamatory speaking (Fantham 1992: 14; see also chapter 30). Ovid had made use of rhetoric to heighten the colors of his poetry and to surprise the reader with brilliant tricks that displayed his natural talent and wit. He often drew the form of his narratives from rhetorical *controversiae* and *suasoriae* (the latter in particular), but the stimulus toward rhetorical conceit also came from contemporary "Asian" rhetoric. This move toward over-ingenuity also stemmed in part from the need to open up new paths after the so-called classical

perfection of Augustan poetry. Poets such as Vergil and Horace were perceived to be at one and the same time an inexhaustible mine for the extraction of precious metals and a paralyzing obstacle: it is largely the need for “novelty” that leads writers to exploit the rhetorical possibilities of ingenious conceits, paradox, and the ironic imitation (or overturning) of earlier “models.”

Declamatory virtuosity also lies behind Lucan’s taste for the continuous repetition of identical concepts in ever renewed formulations. This is precisely the quality that the archaistic Fronto, an adversary of Seneca’s style, failed to appreciate in the poem of Lucan’s *Bellum Civile*, which I quote here, together with his comment:

bella per Emathios plus quam civilia campos
 iusque datum sceleri canimus, populumque potentem
 in sua victrici conversum viscera dextra
 cognatasque acies, et rupto foedere regni
 certatum totis concussi viribus orbis
 in commune nefas, infestisque obvia signis
 signa, pares aquilas et pila minantia pilis.
 quis furor, o cives, quae tanta licentia ferri?

(Lucan, *Bellum Civile* 1.1–8; tr. Joyce 1993)

Wars worse than civil we sing, waged on Emathia’s plains;
 Justice given over to crime; a powerful people,
 Its conquering sword-hand turned to strike its own vitals;
 Kindred front lines; and, after tyranny’s pact had shattered,
 All the stricken world’s forces locked in a struggle,
 Rivals in evil; standards charging belligerent fellow-
 Standards; dueling eagles, and javelin menacing javelin.
 What frenzy was this, O citizens? What unleashing of steel?

is initio carminis sui septem primis versibus nihil aliud quam “bella plus quam civilia” interpretatus est. nunc hoc replicet quot sententiis? “iusque datum sceleri” una sententia est. “in sua victrici conversum viscera,” iam haec altera est. “cognatasque acies,” tertia haec erit. “in commune nefas” quartam numerat. “infestisque obvia signa” <cum> lat quoque quintam. “signis pares aquilas,” sexta haec Herculis aerumna. “et pila minantia pilis” septimum de Aiakis scuto corium. Annae, quis finis erit? aut si nullus modus nec finis servandus est, cur non addis “et similes lituos?” addas licet “et carmina nota tubarum.” sed et loricas et conos et enses et balteos et omnem armorum supellectilem sequere. (Fronto, *De Oratationibus* 6)

In the first seven verses at the start of the poem, he has done nothing but paraphrase the words *bella plus quam civilia*. Now in how many phrases does he rework this? *iusque datum sceleri* – there’s phrase number one. *in sua victrici conversum viscera* – here we have a second. *cognatasque acies* – that will be a third. *in commune nefas* – that’s the fourth he ticks off. And he piles on a fifth: *infestis obvia signa*. Then comes our sixth labor of Hercules: *signis pares aquilas*. Then a seventh bull’s hide from the shield of Ajax *et pila minantia pilis*. Oh Lucan, where will it end? Or if there’s to be no limit or end, why not add “and trumpets of war all alike”? You could add “and the familiar blare of bugles.” And follow this with breast-plates and helmets and swords and belts and the whole kit-bag of the soldier.

By reducing Lucan's proem to a long series of uselessly repetitive *sententiae*, Fronto overlooks entirely the search for expressive tension that the poet undertakes, as well as the complexity of the intertextual negotiations that these verses present (Narducci 2002c: 18–22). The initial mention of the conflicts that took place on the plains of Emathia immediately recalls the somber reference to the civil wars at the end of book 1 of the *Georgics*, and Ovid's imitation of it (Verg. *G.* 1.491–2; Ov. *Met.* 15.824). This reference is in itself an important signal: the pessimism of the Vergil of the *Georgics* was more in keeping with the poet of *Pharsalia* than the “conciliatory” ideology of the *Aeneid*. However, Lucan already shows his intention to go beyond his models: he is going to sing not simply of “civil wars” but of “*more than* civil wars.” The scholiasts already explained this expression in the sense that Caesar and Pompey were father-in-law and son-in-law, and that their conflict not only involved citizens of the same country but also witnessed brothers fighting against brothers and fathers against sons (the *cognatae acies* that Lucan mentions in line 4). The theme of a fratricidal war had been widely used for some time and was quite frequently employed in schools of rhetoric; this is confirmed, for example, in one of the fragments of *controversiae* handed down by the elder Seneca. Papirius Fabianus, a famous declamatory speaker who subsequently converted to philosophy, likened a private quarrel inside a family to the clash of armies composed of fellow citizens and relatives (*civium cognatorumque*), and he concluded this reference to civil conflict with a heartfelt question very similar to the pattern – *quis furor, o cives?* – used at the end of Lucan's proem: *quae tanta vos pestis, cum una stirps idemque sanguis sitis, quaeve furiae in mutuum sanguinem egere?* (“what is this hideous disease, this fury that drove you to shed each other's blood – though you are of one stock, one blood?”, Sen. *Controv.* 2.1.10; tr. Winterbottom 1974).

The convoluted formulation *bella plus quam civilia* was probably suggested by a passage in the younger Seneca's *Phoenissae*, a tragedy whose subject is, of course, a civil war that is also a conflict between two brothers, Eteocles and Polynices. Seneca portrays the two adversaries as competing with each other in every type of crime (*certant in omne facinus*, *Phoen.* 298; cf. *certatum... / in commune nefas*, Luc. 1.5–6), and these brothers who long to clash in a mortal duel want *something more* than a civil war (*non satis est adhuc / civile bellum*, *Phoen.* 354–5). The polyptota by means of which Lucan describes the opposing Roman armies (*signis / signa; pila... pilis*) find their most immediate source in some verses from the same tragedy by Seneca (*signa collatis micant / vicina signis*, *Phoen.* 414–15), together with the quotation from a hexameter by Ennius: *pila retunduntur venientibus obvia pilis* (“blunted back were spears that clashed against oncoming spears,” *Sed. Inc.* 582, Skutsch 1985; tr. Warmington 1956). In the literary tradition stylistic devices of this kind had long been used to describe the extraordinary character of civil war. Very often the repetition of a word serves to make it clear that the enemy is not an alien, but another self; the adversaries “mirror” each other; they are perfect enemies, and perfectly identical. Thus Eteocles prepares to face Polynices in the *Seven against Thebes* by Aeschylus: ἄρχοντί τ' ἄρχων καὶ κασιγνήτῳ κάσις, / ἐχθρὸς σὺν ἐχθρῷ στήσσομαι (“king against king, brother against brother, enemy against enemy, I will engage the fight against him,” 674–5). Cicero uses this kind of collocation in connection with the Roman camps facing each other at Pharsalus: *castra enim in Thessalia castris collata audiebamur* (“for news was coming to us that the armies

[of Caesar and Pompey] were facing each other in Thessaly,” *Div.* 2.114; tr. Falconer 1923; for other examples see Narducci 2002c: 20).

There are other important presences in the background of Lucan’s passage. The structure of the verses of the proem (seven lines setting forth the theme of the poem, followed by a question) is a precise repetition of the structure of the protasis of the *Iliad*, that is to say, the “foundational” text of the epic genre. There is also an allusion in *bella . . . / canimus* (“wars we sing”) to the opening words of Vergil’s *Aeneid*: *arma virumque cano* (“I sing of arms and the man,” 1.1). Thus the opening section of *Bellum Civile* is full of intertextual markers which define the coordinates of the literary space within which the poet intends to set his work: by mentioning Homer and the *Aeneid*, Lucan immediately qualifies his poem as an *epos*; the reference to Ennius shows a desire to follow the truly Roman tradition of a historical epic with a national subject; on the other hand, the choice of the theme of fratricidal conflict, the insistent search for *pathos*, and the consequent fragmentation of expression into short, incisive *cola* (the ones that Fronto found so annoying) all recall the style of Seneca’s tragedies.

In this context of exasperated reaction against literary tradition, Lucan’s reference to the themes set out at the start of the *Aeneid* is clearly a polemical challenge to this model. *Bellum Civile* does not sing of the mythical roots of the glory of Rome, but of its more recent annihilation; the subject of the poem is how the city destroyed itself by pointing invincible arms at its own heart. *Populumque potentem/in sua victrici conversum viscera dextra* (“a powerful people, its conquering sword-hand turned to strike its own vitals,” 1.2–3; tr. Joyce 1993). The insistent alliteration (of *ps* and *vs*) here underlines Lucan’s imitation of the words by which Vergil’s Anchises (while showing his son the souls of the future great men of Rome, in the underworld) had tried to avert the conflict, which was destined to unfold in a distant future, between a father-in-law and a son-in-law, Caesar and Pompey (*neu patriae validas in viscera vertite vires*, “turn not your country’s hand against your country’s heart!”, *Aen.* 6.833; tr. Lewis 1952). The proem of *Bellum Civile* emphasizes the fact that the Trojan hero’s wish has not been fulfilled. Recontextualizing the words of Anchises, Lucan exalts their implicit value as a condemnation and a denouncement of civil war.

Through his use of paradox, bizarre themes, and original variations on conventional motifs, Lucan is continually in search both of *pathos* and of effects that are capable of illustrating the theme of civil war (which itself contains paradoxical elements). In *Bellum Civile* it is easy to identify the echoes of the exasperated antagonism of declamatory speakers in search of brilliant, unexpected “variations,” variations which aroused an immediate admiration and an even more rapid irritation in the elder Seneca. The need to obtain the maximum “effect” in every single passage means that each passage becomes independent from the poem as a whole, and generates (as Leo had already demonstrated for the tragedies of Seneca) a composition made up from a series of autonomous “scenes,” a process that sometimes leads to inconsistencies and contradictions. It should be stressed, however – as the analysis of the proem has shown, and other examples will demonstrate below – that even if the relationship of Lucan with his models is often based on paradoxes and rhetorical conceits that are “declamatory” in their origin, the result is not at all a kind of futile literary *divertissement*. In this art of intertextual combination and transformation, there is an element of ambivalence. At the very moment when Lucan seems to be complacently seeking the reader’s admiration or the applause of the recitation halls,

he suddenly reveals the tremendously serious nature of his commitment to denouncing the destruction of the ancient *res publica*; conversely, the excitement of his indignation seems on more than one occasion to freeze in the course of an ingeniously bizarre or convoluted narrative or in a pointed *sententia* that attracts all attention to itself. Lucan's frivolous vanity as a renowned man of letters combines inextricably with his somber despondency at the imperial regime.

Consequently it is difficult to agree with "postmodern" interpretations which see in the rhetorical nature of *Bellum Civile* an indication of the fact that Lucan's poem has no extraliterary intentions and no ideological or political message to communicate. According to these interpretations, Lucan was above all an extremely playful poet: he sought to obtain maximum rhetorical effect on every occasion without any consideration for inconsistencies or contradictions; his only purpose was to produce a literary product that would have a powerful immediate impact designed to entertain and thrill his readers without any political or ideological commitment (Hunink 1992: xiii–xiv, with the criticism of Narducci 2004). On the contrary: the power of Lucan's rhetorical "coloring" reinforces his exasperated and nostalgic "republicanism." As Morford (1967: 87) neatly puts it, "Lucan has a story to relate – the self-destruction of the Roman republic – and a moral purpose; but the latter predominates, and the story proceeds fitfully."

Two particularly important instruments that Lucan uses to implement his literary project are, on the one hand, his frequent polemical overturning of the model provided by Vergil's *Aeneid* and, on the other, the even more frequent direct intrusion of the narrator into his narration to comment on the events that he relates, often in tones of the grimmest *indignatio*. Both techniques have their roots in the rhetoric of the schools of declamation, but the former also presupposes, as we have already seen, the "rhetoricization" of the *epos* that Ovid had performed. With his incomparable verbal virtuosity he too engaged in a constant manipulation of the literature of the past, taking apart and recombining literary models, often in a desecrating and ironic tone. Perhaps more than any other writer, Ovid had helped to propel Latin literature along the path of a self-conscious "reflexivity," which triumphantly overcame the challenge of finding a new originality and creativeness within the pages and words of others. But despite certain tenuous examples of the "deconstruction" of so-called Augustanism, which have been subject to considerable exaggeration in recent years, the game that Ovid plays with tradition displays a highly enjoyable "lightness," which suggests that we should not overload it with excessively demanding ideological values. Even his ironic gestures toward the *Aeneid* often involve nothing more than a playfully irreverent desecration of the poem's ethical and religious content.

Thus the example of Ovid cannot offer an adequate precedent for Lucan's polemical anti-Vergilian stance, which is in practice utterly radical in character. His systematic overturning of the *Aeneid* almost seems to have the purpose of exposing a deception. By giving a mythical and religious foundation to the power of the *princeps*, Vergil's poem had covered up a tragic, disheartening reality: the end of Roman freedom and the transformation of the ancient *res publica* into a tyranny. *Bellum Civile* proposes a totally different story of the city's foundation: the story of a despotic regime born from the ashes of the *libera res publica*, which was slaughtered on the battlefields of the civil wars.

The techniques that Lucan employs for his ideological (and stylistic) ends are not unlike those of caricature and parody, which likewise take certain distinctive characteristics of a model in order to imitate it while overturning its meaning. The difference is that *Bellum Civile* does not attempt (except perhaps in very few cases) to create any comic effect. The poet uses language similar to that of parody in order to portray the most terrible catastrophe in history. The “upside-down world” that he constructs is not ridiculous but tragic. Both the techniques that I have attempted to define in the previous paragraphs may be illustrated by the way in which Lucan contrasts the image of Pompey’s corpse, decapitated by the Egyptian king Ptolemy’s hired killers, with Vergil’s image of the dead body of Priam.

The first book of *Bellum Civile* comes to a close with the image of a god-possessed matron, who thinks she has been accompanied by Apollo to the various scenes of the future civil war. When the delta of the Nile comes to her eyes, the woman bursts into an exclamation:

hunc, ego fluminea deformis truncus harena
qui iacet, agnosco.

(Lucan, *Bellum Civile* 1.685–6; tr. Joyce 1993)

This man
Who lies, a shapeless trunk, on the sandy bank – I know him.

This, of course, is the decapitated body of Pompey; but in the woman’s demented imagination, places and times overlap and become confused. Just as Pharsalus and Philippi become a single scene of a single civil war for her, so the recognition of that formless torso immediately leads the reader to an intertextual recognition: the memory of the lines in book 2 of the *Aeneid* that describe Priam’s body washed up by the waves on the beach at Troy:

iacet ingens litore truncus,
avulsumque umeris caput et sine nomine corpus.

(Vergil, *Aeneid* 2.554–5; tr. Lewis 1952)

A great trunk lies on the shore,
A head torn from the shoulders, a body without a name.

But there are even closer echoes of the passage from the *Aeneid* at the end of book 8 of Lucan’s poem. The vision of the matron has now become reality and Pompey’s tragedy has been realized: the Egyptian king, who has had him treacherously assassinated on the advice of his shameful ministers, keeps the head in order to show it to Caesar. The narrator’s lament is poured out over Pompey’s body, which has been left unburied:

litora Pompeium feriunt, truncusque vadosis
huc illuc iactatur aquis. adeone molesta
totum cura fuit socero servare cadaver?
hac Fortuna fide Magni tam prospera fata
pertulit, hac illum summo de culmine rerum

morte petit cladesque omnis exegit in uno
 saeva die quibus immunes tot praestitit annos,
 Pompeiusque fuit qui numquam mixta videret
 laeta malis, felix nullo turbante deorum
 et nullo parcente miser; semel inpulit illum
 dilata Fortuna manu. pulsatur harenis,
 carpitur in scopulis hausto per volnera fluctu,
 ludibrium pelagi, nullaue manente figura
 una nota est Magno capitis iactura revolsi.

(Lucan, *Bellum Civile* 8.698–711; tr. Joyce 1993)

Pompey is battered by beaches and, in the shallow ripples,
 This way and that, his trunk is tossed. Was it really a grievous
 task – on his kinsman’s behalf – to keep the cadaver whole?
 True to her bargain, Fortune maintained Magnus’ great
 Good luck; true to her bargain, summoned him down from his
 pinnacle
 Just at the moment of death and in one day demanded
 Payment in full for all her services rendered year after
 Year. Pompey was one man who never saw his luck mixed,
 Good with evil: in prosperity, no God troubled him;
 None spared his decline. In an instant, Fortune struck him
 Down with the blow she had long delayed. He is slammed on the
 sands,
 Scraped across reefs, his gashes sucking up salt water,
 Sport of the mocking ocean; and with no shape remaining,
 All that marks him as Magnus is the loss of his hacked-off head.

Lucan interrupts his story to deliver this lengthy protest against Fortune and the destiny that it has chosen to reserve for Pompey: this is a good example of the above-mentioned continual intrusion of the poet into the narration. The intertextual relationship of this passage with Vergil’s is marked by various correspondences in expression: *Fortuna . . . Magni . . . prospera fata / pertuli* (Luc. 8.701–2) brings to mind *exitus illum / sorte tulit* (Verg. *Aen.* 2.554–5); the repetition *hac . . . hac* (Luc. 8.701–2) imitates Vergil’s repetition *haec finis . . . hic exitus* (*Aen.* 2.554); and *capitis . . . revolsi* (Luc. 8.711) recalls *avulsumque . . . caput* (*Aen.* 2.558). These correspondences prepare the reader to appreciate the transformation of Vergil’s image in a paradoxical and pointed way. While Priam’s decapitated body was said to be *sine nomine* in *Aeneid* 2.558, Lucan overturns the process of reasoning, stating that it is precisely the missing amputated head that makes it possible to identify the formless torso as the body of Pompey (Narducci 2002c: 111–16). The intellectualizing ingenuity here has the effect (intentional or not) of dampening down the *pathos* of Vergil’s model.

The two poets briefly recall respectively the stories of Priam and Pompey, which are emblematic of the sudden decline from good luck to ill fortune. The decline of the two men of power also involves destinies of a wider significance: just as the catastrophe of Troy was mirrored in the end of Priam, so the death of Pompey reflects the collapse of Rome and the end of its freedom. Through the image of the *truncus* of Priam, Vergil probably intended to allude to the recent catastrophe of Pompey

(Narducci 2002c: 113–14). In fact, the tradition of the parallel between Priam and Pompey already existed before Vergil. It appears to have been Cicero who started it when he compared the destiny of Pompey not long after his death with that of the Trojan king as proof of the fact that the length of a life does not add to its happiness; indeed, fortune may suddenly turn in the opposite direction after a long period of prosperity. If he had died earlier, Priam would not have witnessed the ruin of his city; in the same way, if Pompey had died as a result of the fever that he had caught in Campania on the eve of the civil war, he would not have departed for his meeting with destruction (*Tusc.* 1.85–6). In the schools of rhetoric, Pompey must have soon risen to the level of a paradigm of the precarious nature of all human fortunes; as a result, he is sometimes included in lists of *exempla* together with figures like Priam, Croesus, and Marius (Narducci 2002c: 115 with more references). This scholastic and rhetorical tradition contains one of the seeds of the fully tragic interpretation that is offered of the character of Pompey in *Bellum Civile*.

The above considerations may lead us to a conclusion: the declamatory material in *Bellum Civile* is not an end in itself; on the contrary, it is subordinated to the overall design of the work, and is, as a rule, successfully integrated with it. This conclusion may be confirmed by the way in which Lucan includes other themes typical of declamatory speech in his work. Book 10 opens with a description of Caesar's visit to the tomb of Alexander at Alexandria in Egypt. This episode is an invention of Lucan's, and it is a clear indication of his desire to exploit the occasion in order to establish a closer contact between the two leaders (Berti 2000: 22). By paying homage at Alexander's tomb, Caesar intends to take him as his model, and to become his heir. The nature of his inheritance is made clear by the long *excursus* – another intrusion full of *indignatio* – which Lucan introduces immediately afterwards: Alexander, the conqueror and despoiler of the whole world, at the cost of untold bloodshed, is the model of the tyrant *par excellence*, the symbolic incarnation of the absolute despot, whose imitator and successor Caesar intends to be. This image of Alexander had been largely consolidated in the declamatory tradition, as we can see from extant texts; the inventive originality of Lucan, however, lies in that fact that he drew from this common rhetorical commonplace the *color* that was necessary for his characterization of Caesar (Morford 1967: 13–19; Narducci 2002c: 240–7). The same considerations also apply to the theme of the storm, which was likewise frequently used in declamations. Caesar is the victim of a storm at sea in book 5 when he rashly tries to cross the Adriatic in a small boat. Lucan uses several commonplaces about sea storms, mainly in order to depict Caesar as a person wholly under the control of *hybris* and capable of vying with his own destiny in titanic fashion; but in the end he only avoids a frightening death thanks to a fortuitous landing (Morford 1967: 19; Narducci 2002c: 247–58).

Quintilian in book 10 of his *Institutio Oratoria* shows an astute understanding of the “rhetorical” nature of the *Bellum Civile*: *Lucanus ardens et concitatus et sententiis clarissimus, et, ut dicam quod sentio, magis oratoribus quam poetis imitandus* (“Lucan is fiery, impetuous and really outstanding for his epigrams – more a model, to state my own opinion, for orators than for poets,” *Inst.* 10.1.90; tr. Farrell 1997). There has been much discussion whether this judgment is intended by Quintilian to limit the genuinely “poetic” qualities of Lucan, or whether, since it is made by the leading Roman teacher of rhetoric and eloquence, it should be interpreted rather as a sort of

“compliment” (Farrell 1997: 141). The latter interpretation is, to a certain extent, openly provocative; there can be little doubt that Quintilian considers Lucan to be a model not wholly suitable for the purposes of developing a truly “poetic” style. However, in literary criticism of the eighteenth and nineteenth centuries (as well as in previous centuries), the separation between “rhetoric” and “poetry” was frequently taken too far, both with regard to Lucan and to other writers of the postclassical period. A “classicizing” prejudice often led critics to pronounce a cursory negative judgment on the literary qualities of an epic poem whose artistic choices were significantly different from those of the canonical model of the *Aeneid*. This prejudice has been abandoned by contemporary critics for some decades; recent scholarship has shown itself to be more appreciative of artistic movements that are in open rebellion against tradition (even if they are still influenced by it), and of the numerous “anticlassical” phases in literature and in the figurative arts (Narducci 1979: 9–12). Lucan’s poem can certainly be described as a “rhetorical epic,” but only if we understand by this term a poem that makes substantial use of rhetoric in order to achieve aims that are eminently “poetic.”

FURTHER READING

Highet (1972) provides an extensive analysis of the speeches in Vergil’s *Aeneid* and their rhetorical features. Heinze (1915: 404–34), in German, is still useful and has been translated into English (Heinze 1993: 314–47). Clarke (1949) and Kennedy (1972: 387–97) offer convenient summaries of the main issues. In recent decades scholarly attention in Vergilian studies has moved away from rhetoric; see Farrell (1997) for a review of some of the problems involved in the study of rhetoric in epic poetry. As far as Lucan is concerned, Bonner (1966) analyzes the influence of the schools of declamation on the poet’s poetic style and manner. Morford (1967) provides a detailed and sensitive reading of various passages in the poem and their rhetorical elements. For concise analyses of Lucan’s typical stylistic devices, see Mayer (1981: 14–25); Fantham (1992: 14–17, 34–43); and Rutz (1970), in German. See Narducci (2002c), in Italian, for a review and evaluation of recent trends in scholarship on Lucan, many of which veer away from rhetorical analysis.

CHAPTER TWENTY-NINE

Rhetoric and Satire: Horace, Persius, and Juvenal

Dan Hooley

An essay on satire in a volume dedicated to rhetoric raises interesting questions, not least of which might be the skeptical “so, what’s so rhetorical about satire?” A defensive response might be to instance the rather substantial body of scholarship that has been devoted to the issue or question of “rhetoric in Juvenal”; one might then go on, naturally, to consider the place of rhetoric in the other hexameter Roman satirists whose works survive to us, Horace and Persius. On one level, however, the skeptical question exposes a weakness. There is little if anything that is at one and the same time essentially rhetorical *and* satirical. It is not that the two kinds of verbal discourse are unrelated or do not share important elements of Latin’s expressive repertoire; nor is it that our satirists have not consciously employed some of the resources of rhetoric: this essay will be about how they do that, after all. But satire is not a species of rhetoric; nor obviously does the converse pertain. In the Roman scheme of literary kinds, satire is an identified literary modality involving a rather specific perspectival attitude and a limited set of thematic concerns. Its goals, audience expectations, and occasions of delivery are fundamentally different from those of rhetoric. The strict answer to our skeptic’s question is “nothing” or at least “nothing essential.”

What, then, to do with the fact that Juvenal composed satire in a style that was conspicuously rhetorical, and was surely intended to seem so? Or that Persius wrote at a moment in literary history when poetry began ever more predominantly to take on the trappings of rhetoric? Or that *all* of the major satirists were educated in a system that was primarily based in rhetoric? If there is nothing crucially rhetorical about the genre of satire, there is quite evidently, to varying degrees, a great deal of rhetoric in its Roman circumstances and execution. One might respond to the problem, then, by cataloguing that presence in broad and specific ways: oral discourses like diatribe and comedy are usually seen as crucial foundations of satire; literary invective, too, has

oral underpinnings and parallels. Satire is littered with “characters,” often from the storehouse of rhetorical commonplaces, and in its more ambitious portrayals seems to draw guidance on character delineation from rhetorical theory. If Horatian *sermo* embodies rhetorical features (dialogue, debate, diatribe, a calculated register of language, character portrayal, construction of an appealing *persona*), Persius might then be seen as consciously unraveling that Horatian *sermo*. Yet Persius, though explicitly referring to rhetoric only a few times, is himself not entirely anti-rhetorical – is no less a (certain sort of) *vir bonus dicendi peritus* (“good man skilled in speaking”) – but reverts to other kinds of rhetorical procedures within his satire. Juvenal, then, who conceivably could have been a student of Quintilian, as was Pliny, employs rhetoric in more consciously “rhetorical” ways; as Anderson has it, practicing in the *genus demonstrativum* aiming at *vituperatio urbis*, energized by *indignatio* (W. Anderson 1982c: 396–486; 1982b: 293–361; 1954). Anderson’s analysis anatomizes the rhetorical character of certain of the poems along the axes of *inventio* and *elocutio*, in the latter aspect isolating characteristic figures of speech and thought. Further analysis along these lines can be seen in the work of Braund, who has examined rhetorical elements in all three satirists and set out rhetorical models for a number of satiric passages: topics, commonplaces, and generic types like the *progymnasma*, *syntacticon*, *consolatio*, *dissuasio*, *prosphoneticon* and so forth (S. Braund 1997: 147–65, drawing upon Cairns 1972).

But larger if less local and specific points of contact between rhetoric and a literary genre like satire may be seen as well, and indeed questions raised about how we might look at this interesting confluence: take “rhetoric and satire,” switch the nouns around as you wish, substitute for the conjunction “in,” “on,” “about,” “as,” and so forth, and you have a multitude of possible relationships of the two discourses, variously declinable. Rather than survey the obviously “about rhetoric” passages in the satires, then, or dissect the poems by trope, figure, or rhetorical model, this chapter preserves a little of that openness of perspective on the way toward thinking about how rhetoric and satire together connect to certain currents of Roman thought and social life.

Let’s begin in the middle – middle satirist, middle poem:

saepe oculos, memini, tangebam parvus olivo,
grandia si nollem morituri verba Catonis
discere [dicere] non sano multum laudanda magistro,
quae pater adductis sudans audiret amicis.

(Persius, *Saturae* 3.44–7)

When I was young, I recall, I used to dose my eyes with a bit of oil
if I didn’t want to learn [declaim] some overblown speech of [to]
Cato,
dead-set on death as he was, to earn big praise from my school
teacher
while my father and his friends listened and fidgeted.

The satirist is (or seems to be) recalling a declamation scene at school, clearly early on, so that the teacher probably would have been a *grammaticus*. Quintilian (*Inst.* 2.7.1) criticizes such recitals before fathers (Barr and Lee 1987 *ad loc*). But the details are a little unclear. The manuscripts are undecided as to whether the student is learning

(*Catonis* / *discere*; Clausen 1959) or reciting the speech (*Catoni* / *dicere*). If the latter we have a *suasoria* or persuasion speech; if the former, the scene possibly describes a *lectio*, a reading of a prepared passage, at an earlier stage of education and gives a neat reason for those sore eyes, though not for that parental audience. Or if the latter reading is correct, why should sore eyes or eyes-made-sore get the student off what was conventionally a memorized recitation? Readers/critics have to decide; let's go with most editors, though not Clausen, and settle on *Catoni* / *dicere* and the bracketed translation above. Persius, then, would be participating in a fairly extensive tradition of satirizing/attacking declamatory school exercises or declamation itself as a social institution. In this he is not alone. Probably the best known of such denunciations comes from another satirist, Juvenal, who reminisces in similar vein:

et nos ergo manum ferulae subduximus, et nos
consilium dedimus Sullae, privatus ut altum
dormiret.

(Juvenal, *Saturae* 1.15–17)

I too have put my hand under the master's cane. I too
have given counsel to Sulla: early retirement and long
siestas.

Here is the same kind of school *suasoria* (cf. Quint. *Inst.* 3.8.53, 5.10.71). The passage has traditionally been offered as evidence of Juvenal's rhetorical education. Possibly so, but it may equally be one of those quiet imitations of Persius that are scattered through Juvenal's text. In any case, these are not just disgruntled potshots from two cranky satirists, as is made most clear in Petronius' *Satyricon* 1–2 where Encolpius attacks the *rhetor* Agamemnon:

num alio genere furiarum declamatores inquietantur, qui clamant: "haec vulnera pro libertate publica excepi, hunc oculum pro vobis impendi..." haec ipsa tolerabilia essent, si ad eloquentiam ituris viam facerent. nunc et rerum tumore et sententiarum vanissimo strepitu hoc tantum proficiunt, ut cum in forum venerint, putent se in alium orbem terrarum delatos. et ideo ego adolescentulos existimo in scholis stultissimos fieri, quia nihil ex his quae in usu habemus aut audiunt aut vident, sed piratas cum catenis in litore stantes, sed tyrannos edicta scribentes quibus imperent filiis ut patrum suorum capita praecidant...sed mellitos verborum globulos et omnia dicta factaque quasi papavere et sesamo sparsa. pace vestra liceat dixisse, primi omnium eloquentiam perdidistis. (Petronius, *Satyricon* 1–2)

Doesn't the same kind of Fury stir up that bunch of professional declaimers who cry out: "These are the wounds I have suffered for our liberty, this eye I have given up for you..." Things *this* bad we could take if they showed the way to eloquence. In fact, what they accomplish with their rhetorical puffery and empty noise of epigrams is that when they enter the forum they think themselves taken off into another world. This is why I think our youth has been turned into dolts in school, because they hear and see not ordinary things, but pirates in chains standing on the shore, or tyrants writing edicts commanding that sons cut off the heads of their fathers...word-candy, with every phrase and deed topped with poppy-seed and sesame! Pardon me, but you teachers more than all the rest have ruined eloquence.

The rhetorical pedagogue, interested both in flattering the attractive young Encolpius and in defending his trade, blames the parents:

parentes obiurgatione digni sunt, qui nolunt liberos suos severa lege proficere. primum enim sic ut omnia, spes quoque suas ambitioni donant. deinde cum ad vota properant, cruda adhuc studia in forum [im]pellunt et eloquentiam, qua nihil esse maius confitentur, pueris induunt adhuc nascentibus. (Petronius, *Satyricon* 4)

Parents are the ones who deserve the blame, parents who don't let their children advance guided by discipline. For as in all else, they sacrifice their own children to their own ambition. And so in the headlong rush to their aspirations, they push their undigested learning into the forum, and they wrap them while still tiny in tiny eloquence, trusting that it is the best of all schooling.

It hardly matters whether we read Petronius as endorsing any of the views expressed by his characters; both characters, along with Persius and Juvenal, are expressing notions in wide currency in the first and second centuries CE. Others we know about would include the elder Seneca who quotes criticisms of declamation from others on the grounds of its unreality, Quintilian in his lost *On the Causes of Corrupted Eloquence*, and Tacitus' extended treatment of the alleged decline of rhetoric in his *Dialogus de Oratoribus* (Kennedy 1994: 186–92; see chapter 24 in this volume).

So just as rhetoric itself trades in commonplaces, Persius and Juvenal satirize a species of rhetoric in commonplaces drawn from rhetoric's own self-reflexive rhetoric. The schoolroom scene was certainly one of those. But that scene itself is already culturally charged, and so a natural stage for satire. Limned behind the Greek-influenced system of literary and rhetorical education in Rome that got its start in the third and second centuries BCE was an older, aristocratic system whereby boys learned their letters and the practical arts of “living Roman” from their fathers. Even in the modern, structured system of the republican and imperial ages, reactionaries would recall simpler, purer days of essentially paternal inculcation of Roman know-how and values. Horace mimes the nostalgic impulse in *Saturae* 1.6, recounting how his own “poor” father personally accompanied him to Rome and to his lessons, overseeing the teaching, protecting him from unsavory influences:

ipse mihi custos incorruptissimus omnis
circum doctores aderat. quid multa? pudicum,
qui primus virtutis honos, servavit ab omni
non solum facto, verum opprobrio quoque turpi[.]

(Horace, *Saturae* 1.6.81–4)

He was for me a most trustworthy guide,
going along to all my lessons. In short, he kept me innocent
(best of all virtues), saving me
not only from wickedness but also from disgrace.

And in *Saturae* 1.4, the same father takes a yet more active (morally) instructive role:

insuevit pater optimus hoc me,
ut fugerem exemplis vitiorum quaeque notando.

cum me hortaretur, parce frugaliter atque
 viverem uti contentus eo quod mi ipse parasset:
 “nonne vides, Albi ut male vivat filius utque
 Baius inops? . . .”

(Horace, *Saturae* 1.4.105–10)

My good father habituated me [to critical discrimination],
 by pointing out examples of vice, so I might avoid them.
 When he'd urge me to be thrifty and to be content
 with what he himself had earned for me, he'd say this:
 “Don't you see how that son of Albius lives so wretchedly,
 and how penniless Baius is? . . .”

Scholars have a healthy suspicion of the veridical reliability of both passages – with good reason: elements of the paternal portrait seem to have been drawn from Roman comedy, and the “character” of this father is clearly designed to appeal to certain audiences as part and parcel of the character of Horace's persona. And yet there is probably some truth in the picture as well. We can imagine Horace's father, stand-in for the *paedagogus* (the slave who supervised the student to and from school), looking on – at least some of the time – as young Quintus absorbed the elements of his early education, roughly the regimen described later by Quintilian in his first book of the *Institutio Oratoria*, with its emphasis on Greek and Latin letters, its instruction in literary as well as rhetorical studies, its moral emphasis, its early exercises in the composition of stories, fables, *chreiae*, and proverbs. These and more ambitious exercises like the writing of *theses* (developments of general questions), *encomia*, and various takeoffs on well-known passages of literature, have obvious relevance to the satire he would compose – along lines not far distant from these schoolroom exercises. Horace became an educated man, in the fullest Roman sense: fluent in Greek, a student of philosophy, versed in the elements of composition both of speeches and poems. Quintilian, demonstrating how comprehensive “rhetorical” education was in fact, devotes all of book 9 of the *Institutio Oratoria* to figures of thought and speech equally important to both modes of expression, and much of book 10 to writers – poets, historians, and philosophers – as well as orators as proper models of imitation. Horace the poet studied his curriculum in common with rising orators; a fact not to forget as we read through the impersonations, lectures, and debates that fill his satires.

But another point here is that Horace too, like Persius (whose “father” is, likewise, a lurking presence) and Juvenal, revisits the formative scene of childhood education where issues of paternity and Roman identity are crucially involved. In Horace the father figure is an essential guiding hand, almost a pedagogue in the old style, in the formation of what would become an appealing poetic character; in Persius the father has surrendered his ancestral role, becoming instead the image of the fretting parent at a piano recital; in Juvenal, the father has dropped out of sight. Displacing the father in the latter two satirists is explicitly rhetorical education. That is interesting in a number of ways, but especially so in its focusing Roman paternalism, acculturation, education, and rhetoric in a single site. These schoolroom scenes are then not innocent satiric takes on pedagogy gone silly – what use these daft

declamations? – but settings fairly loaded with implications, as Horace tells us explicitly, of “moral” parameters, a proper sense of right behavior, (Roman) identity formation. Horace also paradigmatically sets childhood education as a programmatic scene: the father’s moralizing lessons, laced with negative exemplars, are traced as the source of Horace’s satirizing habits. A similar connection is made by Persius just a few lines after those quoted above, citing another schoolroom scene:

haut tibi inexpertum curvos deprendere mores
 quaeque docet sapiens bracteis inlita Medis
 porticus, insomnis quibus et detonsa iuventus
 invigilat siliquis et grandi pasta polenta[.]

(Persius, *Saturae* 3.52–5)

You’re not unused to catching out crooked behavior,
 and learning what the wise Stoa, that painted portico, teaches,
 the sorts of things close-cropped and sleepless youth
 fret over, fed on lentils and hearty polenta.

Here, to the extent the passage can be taken seriously – and that is a question – Stoic philosophy has taken over the role of the father’s guidance and has set parameters that will orient this Stoic’s satires. Juvenal likewise builds program into his education scene, his suffering there being one justification for speaking/writing out in criticism. Both Persius and Juvenal further incorporate declamation exercises as part of the degraded and offensively trivial literary-cultural climate their satiric art will be composed in reaction to. Yet, following Horace (as they do), they are themselves creatures of the Roman acculturating crucible they programmatically write against. Juvenal says this explicitly (translation paraphrased): *et nos ergo manum ferulae subduximus, et nos / consilium dedimus Sullae, privatus... / ...stulta est clementia, cum tot ubique / vatibus occurras, periturae parcere chartae*, “I too have felt the cane, declaimed to Sulla-in-absentia... and now I too write poetry,” (1.15–18).

Rhetoric for the satirists is, thus, not only a feature of the compositional/literary chemistry of their poems, nor simply a foundational structure of an educational curriculum, nor even a requisite element in Roman society’s wider functionality in the Forum, senate, and assemblies; crucially, it is an identified point of conflict within the satirist’s (rhetorically presented) “self.” Horace speaks approvingly of his rhetorical education at the hands of his teachers and father who made him the satirist he is – yet his satiric corpus is the story of a progression away from the “humble” roots he so lovingly describes. Horace clearly senses he has not arrived until he has escaped the shadow of his freedman father and finds approval in other authority figures: *Plotius et Varius, Maecenas Vergiliusque, / Valgius et... Octavius, optimus atque / Fuscus* (“Plotius and Varius, Maecenas and Vergil, Valgius and... Octavius, and the admirable Fuscus,” *Sat.* 1.10.81–3). The distance traveled between this *libertino patre natum / quem rodunt omnes libertino patre natum* (“freedman’s son, whom everyone runs down as freedman’s son,” *Sat.* 1.6.45–6) and the polished habitué of Rome’s highest society is the story of his two books. Yet the extent to which Horace shows us he cannot run away from his self-defining paternal/rhetorical beginnings, while running just as fast as he can, demonstrates

the tension within satire as a genre: a poetry written in criticism of a Romanness it itself cannot escape.

Persius and Juvenal

Both Persius and Juvenal accord more prominence than Horace does to rhetoric *per se* in this futilely centrifugal, satiric game of hide and seek, and I want to devote the remainder of this survey primarily to them. Persius, born in 34 CE, forty-two years after Horace's death and twenty-one years before Juvenal's birth, has left us only six extant satires. While much dependent on Horace, Persius wrote in a manner radically unlike his satiric forebear: densely difficult Latin, deeply informed by Stoicism, choked with strained metaphor and conceits. His first satire is pervasively programmatic; from beginning to end its subject is the place of poetry in the corrupted culture of the modern Roman world, and the place of Persius' satire within that poetry. Yet his first line, taken, the scholiast tells us, from the satirist Lucilius, has a strongly declamatory ring: *o curas hominum! o quantum est in rebus inane!* ("o cares of men, o the inanity of the world," 1.1). The oral quality of the phrases is reminiscent of one of the major traditions influencing particularly Horatian satire: diatribe, that hectoring, street-corner rhetoric of Cynic preachers (cf. Hor. *Epist.* 2.2.60). If the line is meant to mime the preaching of diatribe, Persius follows it immediately with correction in the voice of an interlocutor: *quis leget haec?* ("who will read this stuff?", 1.2) – "read," that is, not listen to. Another complication appears in the fact that it is a quotation: if the scholiast is right, the line appears in Lucilius' first book and probably its first poem; hence it fits into the logic of literary program there, and the interlocutor's "who will read this?" reflects on the paradigmatic model of literary satire, Lucilius, as well. Commentators do not generally acknowledge the estranged quality of that first verse: not only its declamatory nature but also its quaint, old-fashioned simplicity runs hard up against the register of the prevailing Persianic voice: tense, conversational, compressed, choppy, burdened, abrasive, always on the edge of cynical:

"quis leget haec?" min tu istud ais? nemo hercle. "nemo?"
vel duo vel nemo. "turpe et miserabile." quare?
ne mihi Polydamas et Troiades Labeonem
praetulerint? nugae.

(Persius, *Saturae* 1.2–5)

"Who'll read this stuff?" Talking to me? No one, by God.
"Nobody?"
Maybe one or two. "Wretched shame." Why?
That Polydamas and the women of Troy
may prefer Labeo to me? Who cares?

You can see the compression in the Latin – *min* for *mihi*; *ne...praetulerint*, missing an introducing *metuam*, "should I be afraid?" – a compression that extends even to the allusion that would properly be explained in translation (Hector feared

the censure of the Trojan women and Polydamas; Labeo was a bad translator of Homer). The language runs to an extreme from what appears almost a guileless naivety in the opening words. Take this as programmatic too, then: Persius sets up an immediate counterregister for his satire, a tenor that will be worlds away from the preachy rhetoric of diatribe, from the far less rebarbative *sermo* of Horace, and from even the differently aggressive Lucilius. Persius' satiric rhetoric is original, defined by contrast with other possible voices.

A bit later on, rhetoric of another kind makes an appearance:

scribimus inclusi, numeros ille, hic pede liber,
grande aliquid quod pulmo animae praelargus anhelet.
scilicet haec populo pexusque togaque recenti
et natalicia tandem cum sardonyche albus
sede leges celsa, liquido cum plasmate guttur
mobile conlueris, patranti fractus ocello.
tunc neque more probo videas nec voce serena
ingentis trepidare Titos, cum carmina lumbum
intran et tremulo scalpuntur ubi intima versu.

(Persius, *Saturae* 1.13–21)

We write shut-in; this one metrically, another free verse,
something big for “recitation” by puffed-up lungs.
Of course in public, neatly combed, clean suit,
birthday-bejeweled, a little pale, you'll read it out
high on the platform, supple throat well-lubricated,
languid, leering eye, seductive voice,
then not-nice in move or voice
you'll thrill the boys when your poems
slip into loin and groin.

This is the same kind of public recitation of poetry that moved Juvenal to indignation in *Satire* 1.1–14 (Barr and Lee 1987 *ad loc.*; Quint. *Inst.* 11.3.137–49). It is not the trivialized declamation satirized in Persius 3.44–7 or Juvenal 1.15–16, but a species of public rhetoric closely indexed to the moral register of Rome's popular taste. The modern poetry that comes under criticism in this most literary of all Roman satires is faulted for hackneyed themes (33–5), easy popular acclaim (38–9), compositional incompetence (4, 50–1, 70–5), popular dilettantism (51–3), archaism (76–8), slick metrical polish and posh stylistic effects (63–6, 85–6, 92–7), and effeminacy (98–106). There are ways in which most of these points occur naturally as features of recitation/oration, and in that sense Persius may be seen to be taking his shots at an entire cultural climate in which poetry and rhetoric are interrelated modalities of expression. And it is certainly true that in some sense Persius' literary criticism in this poem is designedly synecdochic: the broader ethos of Neronian Rome, its hothouse literary and cultural climate, its want of principled political discourse – indeed *any* viable political discourse – in whose absence arise venues of self-cultivation and cults of celebrity in which *disciplina* is given over to empty display.

But what is striking and characteristic of Persius in this passage is the incorporation of the satirist's disgust in images of bodily attitude and display. And here is where

rhetoric becomes more than just one of the ways poetry was publicly circulated. Rhetoric, that is the scene and manner of recitation, functions for Persius as the objectification, the public image, of poetry – corrupt in its various ways. Rhetoric, as the art, literally, of *expression*, is itself the vehicle of embodiment, the realization of decadence within. Thus as this recitation scene unfolds, so too does the speaker, progressively making explicit, unfolding, what for Persius is an inner rottenness, dramatizing it in gesture and voice, and culminating in the startling image of recitation as public sodomy. The shocking effect of the image literally depends on the display of public rhetoric in transforming a poetaster's words into something far more damning than any strictly literary criticism of its faults or features could be. Recitation, species and perhaps emblem of rhetoric, functions then as a vehicle for tendentious translation: highlighting, focusing, transposing from aural reception to visual image. As a poetic device, it is a remarkable adaptation and use of what might otherwise be seen as a cognate medium of expression: here the scene and devices of rhetoric become a powerful mechanism of rendering poetic expression. Just a few lines later, the poem's interlocutor reinforces the essentiality of rhetorical delivery:

quo didicisse, nisi hoc fermentum et quae semel intus
innata est rupto iecore exierit caprificus?

(Persius, *Saturae* 1.24–5)

Why learn all this stuff if the froth, once within,
doesn't burst out from the insides like a wild fig?

The claim made is that the display of recitation enacts the poetry, is its *raison d'être*. And the satirist goes on to criticize this compulsion for fame, ostentation. But again it is the enfiguration that matters: here Persius glosses rhetorical display as grotesquery, a wild fig seed having taken root in the poet's spleen, bursting into an ugly denaturing and uncontrolled "ramification" of what might have been the (poetic) self's integrity, its wholeness.

At 83–91 Persius takes a related tack and explicitly criticizes forensic rhetoric's ornamental and artificial side, its distance from substantial argument:

nilne pudet capiti non posse pericula cano
pellere quin tepidum hoc optes audire "decenter"?
"fur es" ait Pedio. Pedius quid? crimina rasis
librat in antithetis, doctas posuisse figuras
laudatur: "bellum hoc." hoc bellum? an, Romule, ceves?
men moveat? quippe, et cantet si naufragus, assem
protulerim? cantas, cum fracta te in trabe pictum
ex umero portes? verum nec nocte paratum
plorabit qui me volet incurvasse querella.

(Persius, *Saturae* 1.83–91)

Don't you feel any shame that you're not able to get an old man off
without hoping to hear someone begrudge you a "decently done"?
Someone charges Pedius with theft. What does he do?
He's praised for balancing learned figures in tight

antitheses: “Pretty!” Pretty?! Did Romulus mince?!
 So I’m to be moved and cough up my penny when a
 shipwrecked sailor sings his appeal? When toting around
 your image on a broken board, do you sing? Whoever wants
 to move me had better do it with real, not rehearsed tears.

This is explicit enough: rhetoric seen from without, as the art of verbal decoration. It reads as an anachronistic criticism of Quintilian who recommends feigning emotions realistically (*Inst.* 11.3.62; noted by W. Anderson 1982c: 426). The charge is old and abiding: the more rhetorical, the less genuine. In *Satire* 5.25 Persius repeats the complaint, distinguishing between words that “ring solid” and the “false stucco of the painted tongue.” The disposition, taken up by many who valorize plain talk over rhetoric’s artifice, is not nearly so anti-intellectual in Persius as in others. For Persius fashions in his own verse a knotted, gnarled anti-rhetoric, learned, metaphorical – an unlovely, unbalanced, unpolished, befuddling, utterly original poetry that nonetheless speaks with startling immediacy and power.

The uglification of the rhetorically prettified continues with a final twist:

hic aliquis, cui circum umeros hyacinthina laena est,
 rancidulum quiddam balba de nare locutus
 Phyllidas, Hypsipylas, vatum et plorabile siquid,
 eliquat ac tenero subplantat verba palato.

(Persius, *Saturae* 1.32–5)

Here someone, draped in hyacinthine cloak
 “elocutes” something rancid, nasally lisping,
 dripping out Phyllises and Hypsipyles and other weepies
 of the bards, tripping out his words from tender palate.

Again poetic recitation is cast in repellent corporeal imagery; the insipidity of hackneyed subjects becomes reified as something oozing, dripping from the poet’s lisping mouth:

summa delumbe saliva
 hoc natat in labris et in udo est Maenas et Attis . . .

(Persius, *Saturae* 1.104–5)

this lame stuff swims in saliva on the lips,
 soggy maenads and Attises . . .

As always in Persius, soft or liquid imagery is negative. Here, however, there is an acute specificity of degrading image: poetry as the dribble of spit. Not only because the poet’s words and saliva come flying from his mouth when delivered on the public stage of recitation, but – just possibly – because orality is a particular crux for this poet. In Persius, poetry is usually (though not always) enfigured in oral terms. That’s natural given that poetry is one of the oral arts, its reception in Rome at least on one axis being oral/aural. But for Persius the mouth is the site of poetry, the point of

utterance, public(-)ation, and, crucially, translation, materialization of that which is within the poet's mind/heart. A rhetorical "delivering" into the world, its way lubricated by the reciter's gargle:

liquido cum plasmate guttur
mobile conlueris . . .

(Persius, *Saturae* 1.17–18)

You rinse [*conlueris*] your supple throat
with clear(-ing) gargle . . .

Even when referring to himself, the satirist can't but conceive of poetry in similar terms, as he does in his opening prologue: *nec fonte labra prolui caballino* . . . ("I didn't rinse my lips in the nag's spring . . .," *praef.* 1). That's a parody of Hippocrene, sacred spring of the muses on Mt Helicon, tapping into an old conceit about poets thus drawing in inspiration. Persius' satiric *reductio* calls in other conceits about the digestion and processing of literary models in his imagination of poetry as alimentary process, where *magister artis ingenique largitor / venter* ("belly [is] the master of art and patron of genius," *praef.* 10–11), and what emerges from the "creative" processing is what "crow poets and magpie poetesses" consider "Pegasean nectar" (*cornuos poetas et poetridas picas cantare credas Pegaseium nectar*, *praef.* 13–14): another liquid to be reprocessed by auditors and imitators. The idea is indeed meant to "taste bad," to disgust, and intended thus to capture Persius' own distaste for the thing Rome has become.

Through all this perfervid oral imagery, rhetoric *per se* is of course not his target; Persius scarcely notices it as an art separate from the practice of poetry, so integral is rhetoric to educated expression in Nero's Rome. As in Horace, rhetoric in early education is crucial to cultural patterning; to be(-come) Roman is to take in the cultural models promulgated via rhetorical training and to espouse them in school exercise and public declamation. In the rhetorical swim of education a Roman finds/makes his identity. Which makes that setting precisely the right starting point for the satirist's exploration of that (Roman) self/*persona* inhabiting satirized Rome. What is made by this acculturating force and how it is unmade by other forces becomes satire's descriptive mission. But Persius will take rhetoric as a more particular kind of embodiment, and reification, of rhetoric, specifically of recitation but more broadly of the oral incarnation of ideas and moral qualities into words. For this satirist, rhetoric functions as a specific literary device, a trope, a means of presenting, as it were, the presentation of the corrupted self, the spit of words.

Juvenal is the rhetorician's special case. In describing his differences from his satiric predecessors, critics regularly isolate his satire's "rhetorical" and "epic" qualities. The two generic influences are not unrelated; Juvenal's is a bigger voice than either Horace's or Persius'. It is, moreover, overtly public in a way that the others are not: Horace writes as much to his closed patronage circle as he does to a wider audience, and Persius writes, explicitly, to a small audience (1.2–3); perhaps finally to himself most of all. Having survived Domitian's deadly and repressive rule, Juvenal publishes his satires in the relatively more open and tolerant Rome of Trajan and Hadrian. It is a literary climate quite different from anything that preceded it. The patronage circles

of the Augustan age are long gone – though not so long gone as to escape the memory of Juvenal who claims to wish for the privileged security they offered. To be sure, moneyed aristocrats like Pliny could live as men of letters in the manner of old; but unconnected writers, writers on the make like Juvenal seemed to have lived very much by dint of their hard literary labor. Their audience was therefore necessarily broader, their choice of genre (as with Martial's epigrams) having something analogous to "mass-market" appeal. In such a situation, the tools of rhetoric, particularly declamation learned at school, could be remarkably appropriate (see Coffey 1989²: 244 n38, quoted by Henderson 1999: 327). Not only would similarly trained readers and auditors recognize the idiom and appreciate literary adaptations of it, but declamation offered an identifiable "public" voice that could at once seem the embodiment of personal indignation and a medium of artful expression. Juvenal, however literally or seriously we take his attitudes and poses, can direct his satiric gaze across the canvas of Rome, Domitianic and after, can speak out on the ways of his world (as he or his poems' speakers see it); in short, compose a public satire.

This post-Domitianic opportunity to write "honestly" – a word that has to be used advisedly – and the popular reception for his art coincide nicely with longstanding developments in Roman poetry, which had for well over a century been increasingly dominated by rhetoric (see Kenney 1963: 706–7). As Kenney and Sarafini point out, Juvenal, after Ovid, Lucan, Seneca, and the rest, could scarcely *not* write in a rhetorical style (Kenney 1963: 706; Sarafini 1957: 236, quoted by Kenney). Moreover, Juvenal may have had a special interest. Martial, another self-consciously rhetorical stylist, refers to him as *facundus* ("eloquent"): *de nostro, facunde, tibi, Iuvenalis, agello Saturnalicias mittimus, ecce, nuces* ("from my little farm, eloquent Juvenal, look, I send you Saturnalian treats," 7.91.1–2). That poem was published, most likely, before 93, which would reflect Juvenal at about age thirty-eight, supporting (or giving rise to) a suggestion in the *Life of Juvenal* that up to his middle years, the poet practiced declamation. No surprise, then, that when he began to write poetry he did so in step with his literary times and his own practiced competence. Substantial studies of the rhetorical features of the satires lay out the range of that competence (Friedländer 1895; De Decker 1913; Scott 1927; Gauger 1936; Highet 1954; W. Anderson 1954, 1982c). Within the blunt characterization "rhetorical" scholars have isolated figures, *topoi*, tropes, types of rhetorical characterization, rhetorical "kinds" (*theses*, or general questions; *genus deliberativum*, *genus iudiciale*; *suasoriae*, *controversiae*), stock questions and categories, and have bracketed out particularly "rhetorical" satires (e.g., *Satires* 3, 5, 6, 8, 13). Frequently pointed out also are Juvenal's use of rhetorical questions, *loci communes* on riches, on contemporary corruption, on fortune, and so forth, dramatic shifts in stylistic level, and *exempla*. As Braund points out, there is a particular affinity between the manners of satire and the use of *exempla* in declamatory rhetoric: if one is illustrating varieties of sin and excess, rhetorical *compendia* and both deliberative and forensic speeches are full of (re-)usable resources (S. Braund 1996: 19; see Quint. *Inst.* 5.11). Then there are the pithy, summarizing *sententiae* theorized in Quintilian, *Institutio* 8.5, so prominently a feature of Juvenal's work. A few well-known phrases from *Satire* 10 will do by way of example: *panem et circenses* ("bread and circuses," 81); *pauci.../descendunt...sicca morte tyranni* ("few tyrants die a bloodless death," 112–13); *mens sana in corpore sano* ("sound mind in a sound body," 356); *i, demens, et saevas*

curre per Alpes / ut pueris placeas et declamatio fias ("push on, madman [Hannibal], right over the Alps, to delight schoolkids and become a declamation," 166–7); *caput...ingens / Seianus.../...pelves, sartago, matellae* ("the bronze head of mighty Sejanus...[melted]...for basins, pans, and pisspots," 62–4); *unus Pellaeo iuveni non sufficit orbis /.../ cum tamen a figulis munitam intraverit urbem, / sarcophago contentus erit* ("one world was too small for Alexander...yet coming to Babylon, a coffin was big enough," 168–71). These *sententiae* are more than merely catchy *rhetorica* incorporated into the satire, more even than favorite stylistic tics. Juvenal uses them structurally as closural devices to complete exemplary vignettes – themselves drawn from the palate of rhetoric. Satire 10 is structured rather tightly in just this way: illustrating the "theme" of the folly of human desires, beauty, strength, power, fame, empire, long life, even, in a wonderfully self-referential moment, eloquence, through various diverting digressions, he resolves (most of) each with a deflating *reductio* expressed so memorably as to leave a lasting trace of the poem's argument in the reader's mind.

The picture of Juvenal's satires as it develops, then, is of a pervasive rhetoricity: any of the sixteen satires can be analyzed in detail along the lines of contemporary rhetorical theory, particularly that of Juvenal's older contemporary Quintilian (40–118 CE). The detailed excursus on style in Courtney's commentary on Juvenal's *Satires* illustrates the kind of thing that can be done, too, across poems (Courtney 1980: 42):

Attention has already been drawn to those modes of speech which excite and exploit the emotions of the audience, e.g., rhetorical questions... and figures of speech depending on repetition of words, such as anaphora. Here are a few more illustrations. Eight begins with 15 lines of rhetorical questions (cf. 3.81 sqq.); rhetorical questions and anaphora combined at 1.77–8, 2.127–8, 5.129–30, 10.278–9; anaphora is accumulated 3.197–9, 7.229 sqq. Other figures depending on repetition of words are *anadiplosis* or *reduplicatio* (6.34–5, 7.213–14, 8.159–60; 2.135–6, 5.112–13, 6.166–7 and 279–80, 8.147–8, all with the last word of a line and the first word of the next); *geminatio* or *epanalepsis* (5.133, 9.67–8, 10.365–6, 12.48, 6.693–5); and *reditio* (9.82, where 81 also adapts a rhetorical figure, 3.208–9, 5.14–15; at 3.166–7, 6.212–13 and 457–8 *reditio* is combined with anaphora). At 6.569–71 we see *polyptoton* (cf. 7.152–3), at 6.15–16 *reduplicatio* combined with anaphora, at 2.53 *epiphora* (the repetition of *paucae* at the end of successive clauses; cf. 6.483–4 *et caedit*), at 15.160 sqq. *polyptoton* with rhetorical questions.

Courtney's discussion spans the range of possible rhetorical presence, *inventio*, *dispositio*, and *elocutio*, with an emphasis on Juvenal's demonstration by exemplum, on the rhetorical arrangement of at least some of the satires (5, 8, 10, 16), and on many of the expressive *rhetorica* mentioned in the quoted paragraph. Given, then, this kind of pervasive rhetorical presence, the appropriate question might not be "how is Juvenal's satire rhetorical?" but "how does Juvenal make *satire* as he employs these rhetorical resources?" A brief look at a single poem is all space allows for here, but even a glance may be illustrative.

Braund (1989: 23–47) helpfully discusses the third satire in rhetorical terms (cf. S. Braund 1997: 153–5). She, following Cairns, observes that its broad structural outline is that of a rhetorical type, the *syntacticon*, a traveler's farewell; that its theme reflects a standard school commonplace, the relative virtues of city and country living (Quint. *Inst.* 2.4.24); and that the conversation between "Juvenal" and the fleeing

Umbricius soon turns into a rhetorical diatribe addressed by the latter to Roman citizens (*Quirites*, line 60) in general (Cairns 1972: 38–40, 47–8; also S. Braund 1996: 230–6). These and other features of its rhetoric have made it the paradigm of many anti-urban diatribes since, including Johnson’s great *London*. The “good, old versus bad new days” commonplace runs of course through the whole, as a blissful past (thus imaginatively construed) is contrasted with the sundry corruptions of modernity:

felices proavorum atavos, felicia dicas
saecula quae quondam sub regibus atque tribunis
viderunt uno contentam carcere Romam.

(Juvenal, *Saturae* 3.312–14)

Happy our ancestors, happy the ages
once living under kings and tribunes,
when one prison sufficed for Rome.

Rhetorical questions and *sententiae* litter the expressive rhetoric of the satire, often in combination with an ironic *reductio* or anticlimax:

nam quid tam miserum, tam solum vidimus, ut non
deterius credas horrere incendia, lapsus
tectorum adsiduos ac mille pericula saevae
urbis et Augusto recitantes mense poetas?

(Juvenal, *Saturae* 3.6–9)

What place so wretched and lonely have we seen
that you wouldn’t think it worse to live in dread of fires,
constantly collapsing houses, the thousand threats
of the savage city, and poets reciting in August?

Sometimes with a darker cast:

quid quod materiam praebet causasque iocorum
omnibus hic idem, si foeda et scissa lacerna,
si toga sordidula est et rupta calceus alter
pelle patet, vel si consuto vulnere crassum
atque recens linum ostendit non una cicatrix?
nil habet infelix paupertas durius in se
quam quod ridiculos homines facit.

(Juvenal, *Saturae* 3.147–53)

What of the fact that the poor man is the occasion
of jokes for all, if his cloak is dirty or torn,
if his toga is soiled or the leather of one of his shoes
is split, or scars show their marks where the skin’s been sewn
or where rough thread highlights a new wound?
Unlucky poverty entails nothing harder
than making men ridiculous.

Sometimes with a lighter touch:

nam quae meritoria somnum
admittunt? magnis opibus dormitur in urbe.
(Juvenal, *Saturae* 3.234–5)

What rented digs will let you sleep?
A good night's rest is expensive.

So too the poem throughout makes its case in ways characteristic of declamation, by *exemplum* rather than logical or reasoned argument, by use of type characters (Verres, line 53, Protogenes, Diphilus, Hermarchus, line 122), by congeries, caricature, exaggeration, and partiality.

It is this “partiality” that taps into some of the more culturally implicated aspects of this rhetorical satire. Qua satire, the poem begins conventionally, locating itself within the tradition of Horace’s dialogue satires of the second book, where Horace’s exchanges with interlocutors turn into diatribes (conspicuously against Horace). Juvenal plainly draws on the paradigm to introduce his character Umbricius, mouthpiece for the extended diatribe on Rome, and just possibly on Juvenal himself as one of its dependent denizens. The diatribe runs a fair gamut of discontents: traffic, crime, substandard housing, the immigration of foreigners and their displacement of Romans from traditional occupations, social positions, and perquisites. He rants at full xenophobic throttle about Greeks (meaning Greek-speaking immigrants from the wider Hellenistic world rather than the more respectable Greek mainland) and Jews. The satire is rarely seen these days as an objective, historically reliable picture of second-century Rome; rather, we have a range of views that take into account Juvenal’s focalizing this “Rome” through the eyes of his speaker, Umbricius, a character who has been understood variously, from a disappointed, conservative *rentier*, to merely a jealous failure who blames others, those immigrants, for his own shortfalls (Green 1967: 26; S. Braund 1996: 233). Whatever the nuance, the poem, via the voice of this Umbricius, reads like a brilliantly conceived, vastly entertaining screed. But its larger appeal lies in its beginning, as we have noted, well within the ordinary purview of satire as a reader of Horace would understand it – and then moving beyond the old limits. For despite all that is trivial and mean in its discourse, there is a deeply resident seriousness about this satire. Umbricius, in his departing Rome, echoes the far more melancholy description of the exile of the shepherd Meliboeus in Vergil’s first *Eclogue*, the earlier poem’s pastoral setting finding reflection in the pastoral *locus amoenus* outside the Porta Capena that is the site of this dialogue (noticed by others; see Braund 1996: 235–6 for a good, summarizing analysis). Juvenal’s “rustic” landscape is a burlesque, but precisely by virtue of that draws into the satire a range of emotional feeling rather new to satire. In Vergil’s last line, Tityrus, Meliboeus’ interlocutor, offers his friend a last night’s rest in his pastoral retreat:

sunt nobis mitia poma,
castaneae molles et pressi copia lactis,
et iam summa procul villarum culmina fumant
maioresque cadunt altis de montibus umbrae.
(Vergil, *Eclogues* 1.80–4)

Here are for us sweet apples,
 soft chestnuts, a supply of good cheese,
 and now, in the distance, smoke rises from cottage roofs, and
 greater shadows fall from the high mountains.

That poignant last line, *maioresque cadunt altis de montibus umbrae*, gives Juvenal in its last word the name of his Umbricius, who himself asks the Juvenal of the poem for an invitation to stay – if ever he should venture to some rustic retreat out of Rome. While the theme of this satire arises out of stock rhetorical arguments about city and country life, its invocation of Vergil's moving meditation on the idea of pastoralism in the context of the political and social ascendance of *this urbs*, Rome, leverages into the poem an unexpected poignancy.

So we wonder just who is this character Umbricius. Shadow-man, shade of old Rome, or shady-man, partisan, bigoted, “the manifestation of the petty greed and jealousy that haunts the city of Rome” (S. Braund 1996: 236)? Or another kind of shade: the poisoned, dispirited shadow of a better human possibility? Juvenal gives no easy answer. But he hints that the satire means more than what it manifestly claims to be, a rhetorically overwrought satirical diatribe on urban life. Rhetoric itself is part of that meaning. Take a typical vignette, selected almost at random:

non est Romano cuiquam locus hic, ubi regnat
 Protogenes aliquis vel Diphilus aut Hermarchus,
 qui gentis vitio numquam partitur amicum,
 solus habet. nam cum facilem stillavit in aurem
 exiguum de naturae patriaeque veneno,
 limine summoveor, perierunt tempora longi
 servitii; nusquam minor est iactura clientis.

(Juvenal, *Saturae* 3.119–25)

There's no place here for any Roman, where
 any old Protogenes, or Diphilus or Himarchus rules,
 the sort that never shares a friend (a Greek habit),
 but keeps him for himself. For as soon as he drips
 a little Greek poison into his patron's ear,
 I'm pushed out the door; long, loyal service is gone.
 Nowhere is the loss of a client so trivial a thing.

Less interesting than the expressive presence of rhetoric here – the stock characters meant to stand for a whole race of resented intruders, the *color* seen in the anti-Greek innuendo, the closing *sententia* – is what rhetoric here and elsewhere in the poem *does*. As *color*, a tendentious “take” on things, it plays to, even creates its own audience, precisely crafting a voice, perspective, worldview shared with insiders. People like this Umbricius, with some of the same resentments, perhaps. Or, less transparently, a more prosperous class of readers feeling a degree of xenophobic antipathy but also taking amusement in the troubles of those less secure than they. In any case they are Roman. And Umbricius' mention of the displaced “Roman” in 119 designates a constellation of collective values and sympathies. A Roman here is meant to be what these Greeks are not. While Greeks are versatile, clever, voluble, inventive, flattering, insinuating,

learned, master of every craft and art (3.58–80), Romans are constant, honest, decent, simple, candid, true friends to friends. If that construction was not true – and it was not – this is the division of the world as Juvenal’s rhetoric makes it. And rhetoric itself, the acculturating, identity-imprinting system of education and language of civic discourse, is part and parcel of this *Romanitas*. The school exercises, *suasoriae* and *controversiae*, along with the ancient Romans of legend that were their subjects, and their heroic rhetorical stands in the senate and assemblies – all these modeled a certain eloquent, confident, masculine Romanness that citizens wanted, even in the face of disappointing reality, to believe in. The denizens of school exercises and heroes of the senate like Cicero (as Quintilian has him), after all, exemplified a kind of control and certainty absent in most real life but viable as an imagined national ideal. Rhetoric is thus part of Juvenal’s story in this satire, the value-defining discourse behind the satiric parade of rascals. We know these Greeks and Jews and swindlers and upstart freedmen are bad and wrong because they have not read Roman rhetoric’s script. And even Romans who have read it have begun to forget; when Umbricius observes, “Nowhere is the loss of a client so trivial a thing,” he is referring to the *clientela*, that patron–client institution dating from Rome’s earliest days and so ingrained in practice as to have been written into the Twelve Tables. Idealized (in reality it was far from ideal or entirely Roman), it made for a stable social infrastructure based on loyalty and observed obligation. Its easy dismissal in Juvenal’s Rome represents the decay of much. Or so Umbricius would have it.

Yet Juvenal has made this appeal to Rome’s rhetorical/ideological foundations out of rhetoric, and will not let us leave without a hint that the dominant mode of *his* discourse is more complicated than Umbricius’. If rhetoric is the idiom of Roman self-identification, of Rome’s particular sort of political discourse, and of social stability, it is also destabilizing, dangerous, and unsettling. And it is Greek, as even Umbricius’ rant acknowledges, “[the Greek is] teacher of grammar and rhetoric” (*grammaticus, rhetor* . . . , 3.76). If Umbricius’ Rome is threatened by these immigrating Greeks, it is threatened too by the (Greek, Greek-taught, Roman) *rhetoric* that has made Rome Rome. Causes and effects, who’s in, who’s out, are all progressively less certain the closer one reads this satire on the city. What *is* certain, as the allusions to Vergil and other passages tell us, is that this satirical-rhetorical rumination is playing about things that matter, and that this language is meant to be thought about and thought through.

FURTHER READING

This chapter depends on the substantial work of Anderson (1954; 1982b: 293–361; 1982c: 396–486) and of Braund (1989: 23–48; 1988; 1996; 1997: 147–65). Kenney (1963) and Scott (1927) are accessible and worth consulting. A study on Juvenal’s forensic rhetoric appears in Keane (2007). The bibliography on the separate fields of Roman satire and rhetoric is vast; in addition to the works mentioned in this chapter, the work of Gunderson (2000, 2003), whose thinking about rhetoric and Roman culture has a significant bearing on Roman literature, is worth special mention. See also Bloomer (1997a) and the introduction to rhetoric by Habinek (2005).

CHAPTER THIRTY

Rhetoric and Ovid

Ulrike Aubagen

The German dramatist Christian Friedrich Hebbel (1813–1863) wrote in his diary: *Form ist der höchste Inhalt* (“form is the greatest content”). Indeed literary form plays a highly important role in the corpus of the Augustan poet. “Form” often has been equated with “rhetoric,” and Ovid has been one of the most controversial authors in Roman literature with regard to the role of rhetoric in his work. Some modern scholars have reproached Ovid for being too “rhetorical” without taking into consideration that the term is ambiguous. In ancient times rhetoric meant the art “of speaking (or speaking and writing) clearly, convincingly, pleasantly, and forcefully,” whereas in modern usage the term often implies that the speaker “is lacking in sincerity, simplicity, directness” (Fränkel 1945: 2 n4). Some scholars, even in the latter part of twentieth century, have deprecated imperial rhetoric and considered it to be incompatible with poetry (e.g., G. Williams 1978: 266–82; Ogilvie 1980: 168–82). Consequently they have either interpreted Ovid’s work as primarily a product of the schools of rhetoric or they have denied that rhetoric had any influence at all. Both of these views are unbalanced, however, and present scholarship reflects more differentiated views. Accordingly, this chapter will first discuss briefly the nature of rhetoric in Ovid’s time and his rhetorical education before turning to examine the rhetorical style of the Ovidian corpus.

Rhetoric in Ovid’s Time

Ovid writes exclusively in the postwar period of Augustus’ reign, a time of martial peace but also of political upheaval as the offices of the republic came under the hegemony of one man, the *princeps*. Along with the political developments that led to the transformation of the Roman republic to the order of the *principatus*, the societal role of rhetoric underwent change (Kennedy 1994: 172). Institutions such as the Forum and the senate, the main locations for political rhetoric, witnessed a shift in the

style and approach of oratory (see chapters 9, 24); at the same time displays of rhetoric blossomed in the lecture halls of the professors, where rhetoric's influence on literature was significant. About one hundred years after Ovid, Maternus in Tacitus' *Dialogus de Oratoribus* points out the relationship between the establishment of the *principatus* and the altered conditions of political rhetoric (cf. chapters 9, 24):

quid enim opus est longis in senatu sententiis, cum optimi cito consentiant? quid multis apud populum contionibus, cum de re publica non imperiti et multi deliberent, sed sapientissimus et unus? (Tacitus, *Dialogus de Oratoribus* 41.4)

Why in fact is there a need for long speeches in the senate when the best men consent quickly? Why is there a need for many public meetings when it is not the inexperienced crowd that deliberate about the state but only the one and wisest [*princeps*]?

Due to the changed political circumstances, many rhetoricians concentrated more intensively on the artistic and elaborate arrangement of their speeches. In Ovid's time rhetoric was "l'expression d'un goût nouveau, d'un raffinement exquis de sentiments exprimés dans une forme recherchée et brillante" ("the expression of a new sensibility, of an exclusive refinement of feeling conveyed in a studied and sparkling form," Sabot 1976: 346). Ovid's audience and readers, being "connoisseurs of rhetoric" (Jacobson 1974: 97), were able to appreciate his style. Ovid himself confesses how much he enjoys living in his own culturally refined time:

prisca iuvent alios, ego me nunc denique natum
gratulor: haec aetas moribus apta meis
.....
... quia cultus adest nec nostros mansit in annos
rusticitas priscis illa superstes avis.

(Ovid, *Ars Amatoria* 3.121–2, 127–8)

Let others promote ancient times. I congratulate myself that I was not born until now: this age is in keeping with my nature ... because culture is here and rusticity, which persisted until our old grandfathers, has not lasted to our time.

The importance of rhetoric in this highly refined literary environment is a complex issue that has ignited much debate. Naturally the use of rhetorical devices in literature can serve many purposes depending on the author's motives. Indeed, some scholars have argued, with regard to a variety of authors of Ovid's time, that rhetoric offered a means to criticize the *princeps* safely in literature, thus implying that rhetoric's significance is largely content driven and dependent upon the politics and social concerns of the time (cf. e.g., Ahl 1985; Hinds 1987: 115–34; Newlands 1995). Although political and social concerns are naturally bound up with the use of rhetoric, Ovid seems especially motivated in aesthetic terms with regard to rhetoric; for Ovid rhetoric is a means to play with form, to be witty, to be imaginative. And the evidence for this aesthetic motivation is present in the accounts concerning Ovid's rhetorical education.

Ovid's Rhetorical Education

From the early love poetry to the literature of exile, Ovid's work displays the use of rhetoric throughout. Its influence is particularly evident in the *Heroides*, elegies written while he was still a young man, where Ovid plays with the structure of *suasoriae*, a circumstance that directly reflects his rhetorical education. The elder Seneca (*Controv.* 2.2.8–12) mentions that the young Ovid was a student of the Roman rhetoricians Marcus Porcius Latro and Arellius Fuscus and provides a vivid testimony, which is partly anecdotal, to Roman rhetorical education of this time. At the beginning Seneca sums up Ovid's rhetorical talent: *habebat ille comptum et decens et amabile ingenium. oratio eius iam tum nihil aliud poterat videri quam solutum carmen* ("He had an elegant, tasteful, and pleasurable talent. Already at that time his speech could be seen as nothing other than poetry in prose," *Controv.* 2.2.8). The expression *solutum carmen* is noteworthy: it shows that rhetoric and poetry are inseparably connected. Seneca further informs us that Ovid was highly talented in declaiming *controversiae* (fictitious law cases) but that he preferred *suasoriae* (fictitious speeches of persuasion): *declamabat autem Naso raro controversias...; libentius dicebat suasorias: molesta illi erat omnis argumentatio* ("but Naso rarely declaimed *controversiae*...; he preferred speaking *suasoriae*; all argumentation was tiresome to him," *Controv.* 2.2.12). After that Seneca adds an anecdote that sounds "like other good anecdotes...truer than the truth" (Fränkel 1945: 7): some of Ovid's friends had agreed with the poet to select three verses out of his work that should be eliminated for reasons of taste, while Ovid himself was to choose three verses that he liked most. The verses chosen were identical. Seneca cites two of them: first, *semibovemque virum semivirumque bovem* ("the man half-bull and the bull half-man [the Minotaur]," *Ov. Ars Am.* 2.24); secondly, *et gelidum Borean, egelidumque Notum* ("and the frozen Boreas, and the unfrozen South [two winds]," *Am.* 2.11.10). In both verses the rhetorical point, which results from chiasmus and paronomasia, takes precedence over the content. With this anecdote goes Quintilian's famous judgment of Ovid that he had been *nimum amator ingenii sui* ("a lover too much of his own talent," *Inst.* 10.1.88). With regard to the poet's (now lost) drama *Medea*, Quintilian remarks that it would have been better for Ovid's work *si ingenio suo imperare quam indulgere maluisset* ("if he had chosen to control his talent rather than indulge it," *Inst.* 10.1.98).

In his "autobiographical" *Tristia* Ovid himself refers to the education he had received together with his brother, whose rhetorical talent made him more suited to a political career, whereas he himself was attracted by poetry (4.10). Humorously he describes his fruitless attempts to write in prose: *et quod temptabam scribere versus erat* ("and whatever I tried to write was verse," 4.10.26). The view the elder Seneca sketched of Ovid as a student of rhetoric can be transferred to his poetry: the expression *comptum et decens et amabile ingenium* (*Controv.* 2.2.8) is a suitable characterization of his elegant and artistic style.

Rhetorical Style of the Ovidian Corpus

Apart from alluding to a few specific rhetorical genres like the *suasoriae* in his *Heroides*, Ovid's style owes much to the influence of rhetoric in general. This will be illustrated by various examples taken from many parts of his work. Ovid creates a new synthesis of rhetoric and poetry, which has been described as mannerist (cf. Burck 1971; Friedrich and Killy 1964: 353–8). Ovid's rhetorical style can best be seen in his monologues. The monologue form, which plays a leading role in his poetry, is not restricted to *epos* and drama, although its most prominent examples are to be found in the *Metamorphoses* (and no doubt played a part in the lost drama *Medea*). It can also be found in works of other genres such as the *Heroides*, *Amores*, *Tristia*, and *Epistulae ex Ponto*. Broadly defined, the monologue involves a speaker in an extreme situation speaking alone with no real addressee except herself or himself (e.g., Ariadne on Naxos in *Heroides* 10, Medea in *Metamorphoses* 7, Ovid in exile in his *Tristia*). This monologue form is central to Ovid's style: he seems to intellectualize the speaker and makes the monologue a vehicle for literary games, exploiting it for witty rhetorical points.

Ovid shows a particular interest in extreme or extraordinary situations. Many of his monologues involve unusual or paradoxical circumstances. *Heroides* 1–15, for example, are soliloquies in the form of letters: abandoned heroines (e.g., Ariadne on Naxos) “write” to their absent beloveds or husbands with no chance of getting their letters posted or receiving any answer (Auhagen 1999: 45–9). Ovid plays with the absurdity of the situation and exploits it for a variety of rhetorical effects. In the *Metamorphoses* most of the great monologues also deal with some extreme, in part perverse, love affair: Medea loves her father's enemy Jason, for whom she betrays her country; Byblis loves her own brother; and Myrrha has an affair with her father. By contrast, in his *Tristia*, Ovid's self-referential poems from exile, the poet himself is the speaker of the monologic elegies. In the *Tristia* the context of exile provides the texts with their extreme point of view. The following discussion analyzes three monologues from three different periods of the poet's life in order to illustrate his rhetorical mastery – those of Ariadne (*Her.* 10), Medea (*Met.* 7.11–71), and Ovid himself (*Tr.* 3.10).

Heroides 10

In the *Heroides* Ovid uses fifteen variations to explore the situation of the abandoned heroine who is trying to persuade her beloved or husband to return. Because of the similarity of theme and content the *Heroides* were criticized in the nineteenth and early twentieth centuries as being mere rhetorical exercises (e.g., Brück 1909). This extreme view is certainly misguided, but the influence of the schools of rhetoric cannot be denied. Students were trained in writing *suasoriae*, fictitious exercises in which they adopted a fictitious (usually mythological) *persona*, from whose point of view they had to persuade themselves or somebody else to do (or not to do) something (e.g., *Agamemnon an Iphigeniam immolet*, “should Agamemnon offer Iphigenia as a sacrifice?”, Sen. *Suas.* 3 *praef.* 1). In this respect the basic format and themes of the *Heroides* do indeed resemble those of *suasoriae*. But Ovid's work

contains far more than that. Jacobson (1974: 338) sums up the problem as follows: "I suppose that there is sufficient reason to assume that in conceiving and composing the *Heroides*, Ovid did receive, here and there, ideas from the world of rhetorical training. . . . Yet, one cannot help wondering if Ovid might not have written the *Heroides* even without these 'models.' " The *Heroides* are experiments of thought in which Ovid describes fictitious passions. Some scholars of the nineteenth and twentieth centuries equated "fictitious" with "unfelt" and "artificial" and labeled it "rhetorical" (e.g., Otis 1966: 16–17). This view is as one-sided as its opposite, which interprets the texts solely as examples of psychological or emotional realism.

Ariadne's "letter" is a prototype of the lonely lament. Ovid presents her flow of thought and builds up a highly complex structure of past, present, and future, of memories and wishes. He creates an atmosphere of loneliness, and the description of the landscape becomes a mirror of Ariadne's soul (Auhagen 1999: 63–77). By means of rhetorical techniques Ovid intellectualizes her speech: he has Ariadne take a dissociated perspective of herself as she observes and describes her own behavior. As Jacobson (1974: 224) notes: "There is a significant amount of role-playing. Ariadne portrays herself as the 'deserted' woman. . . . She is both actress and director." In a pointed contradiction Ariadne rationally and precisely analyzes her irrational state of mind. She describes, for example, how she awoke one morning only to find that Theseus had left her alone. The phrase *incertum vigilans* ("drowsily awake," *Her.* 10.9) illustrates her lethargic state with a pointed antithesis. In spite of her panic she is able to give a detailed description of her environment: *mons fuit; apparent frutices in vertice rari* ("there was a mountain; bushes were rising up here and there on top," 10.25): "Conscious of self as she is . . . she still does not forget to surround herself with a picturesque landscape, describing the sand on which she steps, and the hill which she climbs with a proliferation of irrelevant detail" (Leach 1963: 424). Ovid is interested in the effects that result from toying with different perspectives.

The distance from which Ariadne looks upon herself is emphasized by the artistry of her language: Ovid shows that he is not interested as much in spontaneous, realistic trains of thought as he is in subtle pieces of art. The following examples serve as illustrations: Ariadne pointedly paraphrases the fact that she was sleeping when Theseus left by personifying sleep and making it an accomplice to Theseus' "crime": *somnusque meus male prodidit et tu* ("my sleep wretchedly betrayed me, and so did you," *Her.* 10.5). She also describes the moment when she realized that her lover had disappeared: *nullus erat. referoque manus iterumque retempto / perque torum moveo brachia; nullus erat* ("He was not there! I draw back my hands and again I try, and over the couch I move my arms – he was not there!", 10.11–12). The recurrence of *nullus erat* and the refined changes of tense artfully show the tension between the reexperience and description of the events. The text is also full of corresponding pronominal adverbs and conjunctions that stress the rational argumentative style. Note for instance *nunc huc, nunc illuc* (10.19), *quotiens . . . totiens* (10.31), and *quam . . . tam* (10.50). Parallelism and homoeoteleuton are in the service of witticisms, for example, when the story tells of Theseus killing the Minotaur with his bare hand: *ardua parte virum dextera, parte bovem* ("with upraised hand [he killed] him that was man in part, and in part bull," 10.94). Another example of his playful rhetoric is found in Ariadne's final comment on her situation: *in me iurarunt somnus ventusque fidesque / prodita sum causis una puella tribus* ("sleep, wind, and a

treacherous pledge were conspiring against me: one maid was betrayed by a threefold cause,” 10.117–18). This distich shows that the rhetorical point is at least as important as the content: Ovid seems not to be interested in a realistic portrayal of Ariadne’s sorrow as much as he is in putting his effort into polishing the rhetorical form.

Metamorphoses 7.11–71

In the *Metamorphoses* Ovid plays with the form of the *epos*: in its length (almost 12,000 lines), metrical form (hexameter), and chronological arrangement of the stories of metamorphosis, the work is an *epos*, though its tone does not differ radically from the other non-epic works by the *tenerorum lusor amorum* (“playful poet of tender love,” *Tr.* 4.10.1); nor is the rhetorical style fundamentally varied. As noted above, this fact can best be demonstrated with regard to Ovid’s monologues, most of which deal with some extreme love affair – for example, Medea’s monologue (7.11–71). Because of her contradictory and inconsistent character, she is the heroine in whom Ovid was most interested. The theme of Medea runs through his oeuvre like a golden thread: it features in two of his *Heroides*, a (lost) drama, one half of a book in *Metamorphoses* (7.1–424), and one elegy of the *Tristia* (3.7). The long episode in the *Metamorphoses* contains the whole story from Medea’s first encounter with Jason in Colchis to her flight to Athens and her marriage to Aeacus. It starts out with a very long monologue: although Medea has only seen Jason without talking to him, her monologue nevertheless contains far-reaching thoughts on betrayal and marriage.

The Ovidian monologue is another experiment of thought, this time on a massive scale. Its structure is rational and argumentative; Ovid intellectualizes Medea’s emotions. This intellectualization can be called “rhetorical,” but it is not enough to equate the term merely with a few rules of the schools of rhetoric. At the very start of the monologue the narrator points to Medea’s state of mind: *et luctata diu, postquam ratione furorem / vincere non poterat* (“she struggled against it for a long time; when she could not defeat her madness with reason [she cried],” *Met.* 7.10–11). The key words *ratio* and *furor* are juxtaposed: in Medea’s mind both principles fight against each other in an inner discussion that will end in self-betrayal. Nicolai (1973: 112) aptly describes this phenomenon and talks of “perverted sophistic rhetoric, which is not used in an oratorical struggle against another person, but in some kind of civil war within one’s soul.” Indeed Medea’s monologue is staged as an “internal dialogue” (Auhagen 1999: 137–41). She negotiates with herself, beginning with a diagnosis of her state of mind. She knows precisely that she has fallen in love and is now powerless: *frustra, Medea, repugnas* (“in vain, Medea, do you fight,” *Met.* 7.11). This comment sums up the situation as far as content is concerned, but Ovid lets his protagonist continue to fight her inner battle for sixty more verses. At first she diagnoses her state of being in love: *aliquid certe simile huic, quod amare vocatur* (“what is called love, or at least something like this,” 7.13). And as a proof she adds rhetorical questions on which she herself comments:

nam cur sunt iussa patris nimium mihi dura videntur?
sunt quoque dura nimis! cur, quem modo denique vidi,
ne pereat, timeo? quae tanti causa timoris?
excute virgineo conceptas pectore flammās,

si potes, infelix! si possem, sanior essem;
 sed trahit invitam nova vis, aliudque cupido,
 mens aliud suadet. video meliora proboque,
 deteriora sequor. . . .

(Ovid, *Metamorphoses* 7.14–21)

For why do the orders of my father seem too harsh? They certainly are too harsh. Why am I afraid that he might die whom I have actually only seen? What is the cause of so much fear? Expel from your maiden breast the pent up flames if you can, unhappy girl! If I could, I would be more sane! But a new power draws me on unwillingly, and desire persuades me one way, reason another. I see the better course and approve it, but I follow the worse. . . .

In this internal discussion Medea asks and answers her own questions. She herself names the fighting opposites: *cupido* (19) and *mens* (20), an irrational and a rational part of herself. This skill of self-diagnosis shows the distanced attitude she has toward herself during the whole monologue. From a practical point of view the monologue could end at this point, but Ovid still lets Medea start on a long, irrational experiment of thought in which she speculates on her whole future. A more detailed analysis of Medea's reflections will give us a deeper appreciation of Ovid's rhetorical technique.

Medea first reproaches herself for having fallen in love with a foreigner (*hospes*, 7.21), but through another rhetorical question she denies any responsibility for this by claiming that everybody (*quem non . . . ?*, 7.27) would be moved by Jason's youth (*aetas*, 7.26), birth (*genus*, 7.26), and decency (*virtus*, 7.27). Without her aid, he would be without protection against the dragon and the other dangers on his way to retrieve the Golden Fleece (7.29–31). At this point Medea begins to ask herself whether she should help Jason or not. If she were not to do so, such a denial would be proof of her heartlessness (7.33). With this argument she disguises her aid for him as an act of humanity and distracts attention away from her personal motivation. For the first time in the monologue Ovid makes Medea change her perspective and question whether her way of thinking means a betrayal of her fatherland (*prodamne ego regna parentis*, 7.38). In her pessimism she formulates the hypothesis, which stems from her fear (although later it becomes true), that Jason, having been rescued by her, might fall in love with another woman (7.42–3). She obsesses so much about this that ultimately she wishes death upon him (*occidat ingratus*, 7.43). Here, as so often elsewhere, Ovid is playing with the reader's mythological knowledge. But then Medea immediately changes her mind and argues that Jason is too decent for betrayal (7.43–4). To this moment of self-delusion Ovid adds doubts by letting Medea then ask herself paradoxically: *quid tuta times?* ("why do you fear when all is safe?", 7.47). The pointed antithesis is combined with alliteration.

Medea's thoughts wander to her family's fate and she asks herself whether she should abandon sister, brother, father, gods, and fatherland (7.51–2). She answers by picking up the key words in a different order: the father is wild, the fatherland barbarian, the brother a child, and the greatest god inside herself (*maximus intra me deus est*, 7.55). This statement culminates with the antithetical parallelism *non*

magna relinquam, / magna sequar ("I shall not be leaving great things; I shall be going to great things," 7.55–6). This point serves Medea as a transition to thoughts on her future home in Greece: she envisages her luck in being married to Jason (*coniuge*, 7.60) and imagines the dangerous journey to Greece, which would be without fear if undertaken together with him (7.62–5); she would be anxious only for her "husband." At this point the expression *coniunx* marks another change of mind: Ovid makes Medea expose her own logic as faulty (7.69). In the last words of her monologue she appeals to herself (in vain) to flee from the imminent "crime" (*effuge crimen*, 7.71). Her *ratio* seems to have been victorious over the *furor* but, as Ovid shows in the following verses, her efforts at self-persuasion are in fact fruitless: just five verses later Medea meets Jason again and *cum videt Aesoniden extinctaque flamma reluxit* ("when she saw Aeson's son [i.e., Jason], the extinguished flame leaped up again," 7.77). As it turns out, Medea has been given sixty-one verses to carry out an inner struggle whose outcome has been clear from the very first words she uttered: *frustra, Medea, repugnas* (7.11). In a single monologue Ovid has Medea imagine her future together with Jason even though she has seen him only once. As Wise (1982: 18) observes, "there is no love story to be told, except the one within her imagination." The train of thought in Medea's monologue not only demonstrates his aesthetic principles but also his mastery of rhetoric. The speech reflects not so much a realistic image of his character's state of mind as it presents an intellectual game that takes into account the refined rhetorical and literary tastes of his contemporary readers.

Tristia 3.10

In 8 CE Ovid's life underwent an abrupt change when he was banished to Tomis on the Black Sea. His poetry from exile in some respects continues where his previous works left off; in other ways, however, it marks a transition to something new. The *Tristia* and *Epistulae ex Ponto* do not have any real model in Greek or Roman literature, though Ovid might have been inspired by his own work: with the *Amores* and the *Heroides* he had already created collections of elegies, the latter being a play on the form of epistles. The novelty of Ovid's poetry from exile is his expression of personal affection. In the *Amores* Ovid adopts several poses of the elegiac lover in order to parody him; in the *Heroides* he takes the point of view of mythological women; in the *Tristia* and *Epistulae ex Ponto* by contrast, he puts himself on stage: the "laments of heroines separated from their lovers have become the laments of the poet separated from his fatherland and friends" (Barsby 1978: 44). The art of rhetoric has an important role in this game: the use of witticisms and the play with *paradoxa*, on the one hand, and Ovid's personal involvement, on the other, result in a sharp contrast. He hides his shock behind his rhetorical style, which is one of the reasons why scholars have not believed his description of the troublesome events in exile. Some have even gone so far as to question whether Ovid lived in exile at all (e.g., Fitton Brown 1985). The ease with which he portrays his fate disguises his real suffering: "Tomis was a shock. . . His world was turned upside-down. . . Imagine the effect on Byron of deportation to Australia, or on Oscar Wilde of exile to the far north of Canada" (Dickinson 1973: 157).

Ovid exploits his situation rhetorically and aesthetically as a means of coping with it. The pointed tension between rhetoric and (real) emotion is manifest in *Tristia* 3.10. Ovid complains about exile in Tomis, where the inhabitants are barbarians and the winters are long and severe. His description of the icy climate does not correspond to the factual meteorological details but is a poetical, stylized illustration of Ovid's state of mind: in Tomis, far away from the metropolis of Rome with all her culture and luxury, he feels alone and lost; consequently he views the climate as icy, the inhabitants as uncivilized and hostile. The theme of the elegy is established early in the poem: his life *in media . . . barbaria* ("in the midst of the barbarian world," 3.10.4). The poem builds up to a climax of exterior dangers, culminating in the description of the long, icy winters (3.10.13–50). In this passage of hyperbole the glacial landscape mirrors the poet's feelings. For his description of wintry Tomis Ovid uses a famous model: the scene in Vergil's *Georgics* (3.349–83) describing the severe winter in Scythia. In alluding to this text Ovid mostly uses the parts that depict the extreme cold, but he then exaggerates the Vergilian detail. He even lets the long frozen hair-strands of the inhabitants of Tomis (in Vergil's description the beards were full of ice, *G.* 3.366) clink against each other and make noise: *saepe sonat moti glacie pendente capilli / et nitet inducto candida barba gelu* ("often their moving hair tinkles with hanging ice and their beards glitter white with a mantle of frost," *Tr.* 3.10.21–2). Wine frozen solid, an incredible circumstance even in Vergil (*G.* 3.364), is described in witty detail by Ovid: *nudaque consistunt, formamque servantia testae, / vina, nec hausta meri, sed data frustra bibunt* ("exposed wine stands upright, keeping the form of the vessel, and they do not drink draughts of wine but pieces served to them," *Tr.* 3.10.23–4). In his description of the frozen Black Sea he mixes in absurd elements like frozen waves: *undaque non udo sub pede firma fuit* ("the wave was firm under a dry foot," 3.10.40). Moreover, the dolphins are unable to jump out of the water because of the sheet of ice (3.10.43–4). At the climax of the passage Ovid hyperbolically remarks: *vidimus in glacie pisces haerere ligatos / sed pars ex illis tum quoque viva fuit* ("I have seen fish stuck together bound in the ice, but some of them even then were still alive," 3.10.49–50).

Of rhetorical interest are Ovid's two mythological illustrations, both of which are wryly humorous. To the description of the frozen sea he adds an apostrophe to Leander, who would have been able to cross the Hellespont safely if it had been frozen: *si tibi tale fretum quondam, Leandre, fuisset / non foret angustae mors tua crimen aquae* ("if, Leander, there had once been such a sea for you, the narrow waters would not have been liable for your death," 3.10.41–2). This is, of course, an allusion to the myth of Leander, who drowned when swimming through the straits in order to meet his beloved Hero. The story, perhaps modeled upon a Hellenistic source, is told in length by Ovid in *Heroides* 17 (Leander to Hero) and 18 (and Hero to Leander). Not only is the apostrophe pointed, but the formulation is sharp as well. The second mythological example is of the same type: Ovid describes how the countryside lay fallow and without fruit (as a consequence of war) and alludes to the myth of Acontius and Cydippe: *poma negat regio, nec haberet Acontius in quo / scriberet hic dominae verba legenda suae* ("fruits are denied in this region, and Acontius would not have anything here on which he might write the words for his mistress to read," 3.10.73–4). In Tomis Acontius would not have been able to send messages to his

beloved Cydippe. According to the myth he tricks her into promising herself to him in marriage: at a festival for Artemis in Delos he rolls to Cydippe an apple with the inscription *μὰ τὴν Ἀρτέμιν Ἀκοντίῳ γαμοῦμαι* (“by Artemis, I will marry Acontius!”, Aristaenet. *Epist.* 1.10.37–80). She receives the apple and unsuspectingly reads the inscription aloud. Following a Hellenistic version in Callimachus’ *Aitia*, Ovid narrates the story in *Heroides* 20–1. Examples of this kind, which on the surface do not seem to fit the mood of an exile in despair, are learned and amusing. These exaggerations and curious details show how Ovid plays with his rhetorical circumstances. It is a desperate game by a desperate author in exile who nevertheless has not lost touch with his humor and wit.

Other works

In the elegies of his youth, the *Amores*, Ovid parodies the *persona* of the elegiac lover and plays with roles and *topoi*. Rhetoric plays an important part in this intellectual exercise. One of the Ovidian verses quoted by the elder Seneca comes from *Amores* 2.11. In this elegy Ovid’s *persona* complains that his beloved Corinna is going to leave him:

ecce fugit notumque torum sociosque Penates
fallacisque vias ire Corinna parat.
quid tibi, me miserum, Zephyros Eurosque timebo,
et gelidum Borean, egelidumque Notum.

(Ovid, *Amores* 2.11.7–10)

Behold! Corinna flies from both the known couch and the allied Penates and prepares to go on false paths. How, wretched me, I shall fear for you the West wind and the East, and the frozen Boreas, and the unfrozen South.

Here Ovid artistically puns on the names of the winds that might influence Corinna’s journey. He seems more interested in wordplay than meteorology, as shown in his use of the past participle *notum* (7) and the noun *Notum* (10) in the same context, his arrangement of the two geographically opposite winds *Boreas* and *Notus* through paronomasia and antithesis, and the ingenious pun made with *et gelidum* (10) and the contrasting *egelidum* (10). Ovid exploits such highly emotional situations, which are typical elements in Roman love elegy, as a literary and intellectual game.

The *Ars Amatoria*, which also belongs to the works of his youth, displays a similar rhetorical style. In the first place, the theme of “persuasion” (and with it rhetorical strategies generally) plays an important role in the poem as a whole (Toohey 1997); for example, Ovid gives the following advice to male seducers:

disce bonas artes, moneo, Romana iuventus,
non tantum trepidos ut tueare reos:
quam populus iudexque gravis lectusque senatus,
tam dabit eloquio victa puella manus.

(Ovid, *Ars Amatoria* 1.459–62)

Learn noble arts, I warn you, young men of Rome, not so much that you may protect anxious defendants; just like the people, the severe judge, or the chosen senate, so a young woman captured by eloquence will give her hand.

But witty rhetorical tricks are evident throughout the *Ars Amatoria*. An example is provided by 1.527–64, which is again a mythological episode. It is the story of the abandoned Ariadne, who was already the subject of Ovid's *Heroides* 10. Here the theme is her rescue by Bacchus. Ovid describes how Ariadne wanders along the beach in despair of ever seeing Theseus again (*Ars Am.* 1.527–32). After a vivid, sympathetic depiction of her tears, he comments wittily: *clamabat flebatque simul; sed utrumque decebat; / non facta est lacrimis turpior illa suis* ("she was crying and weeping simultaneously, but both became her; she was not made uglier by her tears," *Ars Am.* 1.533–4). Through these observations Ovid humorously undermines the pathos of the scene. He uses the same technique to describe Ariadne's reaction to Bacchus' arrival:

et color et Theseus et vox abiire puellae,
terque fugam petiit terque retenta metu est,
horruit, ut steriles agitat quas ventus aristas,
ut levis in madida canna palude tremit.

(Ovid, *Ars Amatoria* 1.551–4)

Color and Theseus and voice were gone from the girl. Three times she attempted an escape; three times she was held back by fear. She shivered, just like the slender stalks that the wind moves, just like the light reed that trembles in the humid marsh.

This passage is full of rhetorical devices: the threefold zeugma (551), amplified by a polysyndeton, wittily brings together the incommensurable terms *color*, which refers to her face, and *Theseus*, which refers to the thoughts in her mind; the repetition of *terque* in line 552 mocks epic style; the two similes in lines 553–4 are also full of rhetorical erudition: both images, taken from plants, are antithetically arranged, the one referring to a dry context, the other to a wet context. These two distiches form only one example of Ovid's rhetorical art in the *Ars Amatoria*.

The *Fasti* contain the Roman calendar in elegiac meter. Since Ovid could not finish the poem before he was banished to Tomis in 8 CE, the work's six books, which describe the religious holidays and their origins, only deal with six months beginning in January. Here too Ovid shows his interest in mythology by introducing unusual or rare (or newly invented) variations. An instance of his use of rhetorical point is Ariadne's monologue (*Fast.* 3.471–506). Ovid revives the Ariadne myth anew to explain the origin of the constellation *Corona Borealis* (March 8; according to the myth, this is the wedding crown of Ariadne, which was placed in the heavens by Ariadne's husband, Dionysus/Bacchus). This monologue in the *Fasti* constitutes a literary game and stands in relation to Ovid's *Heroides* 10 and Catullus 64. In all three poems Ariadne is depicted standing on the beach. Although the situation is radically different, it is ironically parallel: the Ariadne of the *Fasti* is not the woman abandoned by Theseus but the wife of Bacchus, who had rescued her at Naxos. Nevertheless she worries that she will be abandoned once again since her husband seems to be

perfidious. This is her state of mind when she speaks her monologue. The first distich illustrates well Ovid's rhetorical style:

en iterum, fluctus, similis audite querellas!
 en iterum lacrimas accipe, harena, meas!

(Ovid, *Fasti* 3.471–2)

Oh, again, waves, hear similar complaints! Oh, again, sand, accept my tears!

The witty and pathetic anaphora, the apostrophe to *fluctus* and *harena*, and the literary allusions to *Heroides* 10, other works of Ovid, and Catullus all play with the reader's literary knowledge, and the text gives a new, pointed variation upon the Ariadne myth.

Conclusion

During the late republic and early empire rhetoric flourished in the lecture halls of the professors, where Ovid received his rhetorical education, and in literary works. In this environment Ovid created a synthesis of rhetoric and poetry in which form was an important focus. Ovid's predominant aesthetic concern can be seen from the time of the rhetorical education of his youth, through the early joyous love poetry, to the sorrowful *Tristia* of his exile. In his early *Heroides* the formal structure and style of the school exercise of the *suasoria* seem particularly influential, but rhetorical devices appear throughout all his works and generate a wide variety of effects. The use of rhetorical devices, traditionally developed and refined in large part for use in speech and prose, offered a useful tool for Ovid, especially in the aesthetic, formalist dimensions of his verse. Ovid is *lusor*: the precepts of rhetoric are essential tools as he plays with topics, situations, and emotions in order to entertain and inform his highly aware and refined audience.

FURTHER READING

On rhetoric in Ovid, including an analysis of the elder Seneca's remarks on Ovid's rhetorical education, see Higham (1958). Bonner (1949) provides a good overview of Roman declamation. Fantham (1997: esp. 122–6) discusses the function of rhetoric under the principate. Oppel (1968: 37–67), in German, challenges the view that the *Heroides* are versified *suasoriae* (cf. Jacobson 1974: 322–30; in general see Sabot 1976, 1981, both in French). Kennedy (1972: 405–19) discusses Ovid and rhetoric; Schiesaro (2002: esp. 70–4) and Hardie (2002b: esp. 36–8) also deal with this subject. Kenney (2002) is a detailed analysis of Ovid's literary style that includes considerations of numerous rhetorical devices employed by Ovid.

CHAPTER THIRTY-ONE

Rhetoric and the Younger Seneca

Marcus Wilson

Seneca, like other Romans of his generation, was trained in rhetoric and practiced in declamation. In fact, he was one of the addressees of his father's *Controversiae* and *Suasoriae*, which indicate that in his youth he was an eager student of rhetorical techniques (*Controv.* 1 *prae*f. 1). In his later career, not only did he teach Nero rhetoric (Tac. *Ann.* 13.2), write speeches for him (13.3), and publish many prose works under his own name, but also wrote plays characterized by lengthy speeches notorious for their rhetorical brilliance (Canter 1925; Boyle 1997: 15–31). His virtuoso application of rhetorical devices could be illustrated from almost any passage of his writings, even from a speech by a minor character in tragedy, such as Clytemnestra's nurse, as she attempts to dissuade her mistress from the murder of her husband and king.

regina, frena temet et siste impetus
et quanta temptes cogita; victor venit
Asiae ferocis, ultor Europae, trahit
captiva Pergama et diu victos Phrygas.
hunc fraude nunc conaris et furto aggredi,
quem non Achilles ense violavit fero,
quamvis procacem torvus armasset manum,
non melior Ajax morte decreta furens,
non sola Danaïs Hector et bello mora,
non tela Paridis certa, non Memnon niger,
non Xanthus armis corpora immixtis gerens
fluctusque Simois caede purpureos agens,
non nivea proles Cynus aequorei dei,
non bellicoso Thressa cum Rheso phalanx,
non picta pharetras et securigera manu
peltata Amazon? hunc domi reducem paras
mactare et aras caede maculare impia?

victrix inultum Graecia hoc facinus feret? 220
 equos et arma classibusque horrens fretum
 propone et alto sanguine exundans solum
 et tota captae fata Dardaniae domus
 regesta Danaïs. comprime adfectus truces
 mentemque tibimet ipsa pacifica tuam. 225

(Seneca, *Agamemnon* 203–25)

Bring yourself under control, Queen, suppress this fury
 and think how great a thing it is you contemplate. He comes back
 victorious over fierce Asia, as the avenger of Europe, dragging
 behind him captive Troy and the long-vanquished Phrygians.
 Is this the man you hope to overthrow with treachery and lies,
 a man Achilles could not hurt with his savage sword,
 (though with murder in mind he drew his weapon insolently)
 nor the better Ajax in his suicidal frenzy,
 nor Hector, sole obstacle to the Greeks and the war's completion,
 nor the arrows shot from Paris' accurate bow, nor black Memnon,
 nor Xanthus rolling arms and corpses in indiscriminate flood
 and similarly gory, the waves of bloodstained Simois,
 nor pure-white Cycnus, fathered by the sea-god,
 nor the troops of Thrace led by war-like Rhesus,
 nor the crescent-shielded amazon with her battle-axe
 and painted quiver? This man on his return you plan
 to sacrifice, polluting the altars with impious slaughter?
 Will Greece fail to exact vengeance for this crime against
 the architect of victory? Picture the consequence: horses, arms,
 seas bristling with warships, our soil deep-drenched in blood,
 and all the fate of the captive dynasty of Troy
 recoiling on the Greeks. Curb your angry passions,
 and re-impose upon your mind a state of peace.

This speech carries many of the hallmarks of declamation (Tarrant 1976: 212). As imaginary advice given to a famous mythical or historical personage meditating a momentous decision, the *suasoria* gave dramatists and other writers a thorough training in the composition of speeches of persuasion and dissuasion. The story of Agamemnon was one fruitful source of themes, as the elder Seneca's third *Suasoria* shows: *deliberat Agamemnon an Iphigeniam immolet* ("Agamemnon deliberates whether or not he should sacrifice Iphigenia," 3 *prae*f. 1–2). In the younger Seneca's play the mythical setting is the same and the issue is again whether a family member should be "sacrificed." The task of dissuasion from crime falls on an anonymous minor character, the nurse, a situation not uncommon in the tragedies. But this nurse, like all such characters, is a trained orator.

The nurse begins with three imperative phrases of increasing length (*Ag.* 203–4). From there she switches to third person statement, again in three parts (204–6) each part connected to the others by their use of geographical references (*Asiae, Europae, Pergama, Phrygas*), the first two parts being arranged, also, as an antithesis (*victor... Asiae... ultor Europae*). So far in these lines she has contrasted Clytemnestra, characterized as lacking self-control and underestimating the task she has in mind

(203–4), with Agamemnon, characterized as a figure of almost superhuman reach, a conqueror bestriding continents (204–6). She then commences a twelve-line rhetorical question that juxtaposes the feebleness of the queen's only weapon, deception (described in one line), with (described in nearly eleven lines) the catalogue of enemies who had failed to bring down Agamemnon in the past, beginning with two of the greatest Greek heroes, Achilles and Ajax, and concluding with all the most famous opponents of the Greek army at Troy. The question is prevented from becoming structureless and incoherent by the eightfold anaphora of *non*. Emphasis is placed on the deadly weaponry that Agamemnon's various enemies had at their disposal (Achilles' sword, Paris' arrows, Penthesilea's axe) and their backing by superior forces such as the rivers, Xanthus and Simois, and the god Neptune, the parent of Cycnus. This long question is followed by a shorter one (218–19) that both reiterates the imbalance of power between Agamemnon and Clytemnestra and, in addition to the objection based on practicality, hints at a further objection based on religion and morality: the murder would be impious (219). A third even shorter rhetorical question (220) returns to the objection based on practicality but shifts the focus from the past to the future: the king's Greek allies would inevitably seek to avenge his death. The nurse proceeds to evoke a visual impression of a new war (221–4) and a reversal of fate that will see Greece suffer the same horrors recently experienced by Troy. She ends the speech by echoing the theme and mode with which she began (224–5): reverting to imperative verbs, she reminds the queen that her emotions are running riot and orders their immediate suppression.

Above all else it is the tone that marks this speech as indebted to Roman declamation. A real servant could never speak to her mistress in this way, especially when her mistress is a queen ruling in her husband's stead. Realism is not allowed to get in the way of rhetorical power. There is no sign of deference in the nurse's attitude, and her initial address of Clytemnestra as *regina* ("queen") serves only to accentuate the paradoxical force of the imperatives that follow, as the servant gives orders to the monarch. Throughout the speech the argument is aggressive. The repetition of *non* is particularly insistent and the piling up of examples of unsuccessful enemies of Agamemnon lends the speech a cumulative force that browbeats the listener. Seneca has given the nurse's case against murder an unexpected *color* by not basing it on moral grounds but almost entirely on practical considerations. He also attributes to the nurse a taste for the type of conceit that was the delight of the declamation halls in first-century Rome: the killing of Agamemnon would initiate a new war among the Greeks and have the effect of replaying the fate of Troy but on Greek soil.

It is hard to imagine the Aeschylean Clytemnestra allowing a servant to speak to her in this way. There is no nurse in the Greek *Agamemnon*, and other lower status characters, like the watchman, know their place. The speech of Seneca's nurse does make a difference to Clytemnestra and the spectator's or reader's perception of her. She makes no immediate reply, but when she speaks next, to Aegisthus, it is to oppose the murder plan, either because she has had second thoughts or in order to provoke him (239–43). What is clear is that she has come down from the frenzy of passion reached immediately before the nurse's speech (201–2) and is calmer and more in control of her thoughts in the ensuing scene, even rebuking Aegisthus for trying to re-ignite her anger (260–1).

Half a century ago, the rhetorical language of the Senecan tragedies tended to be treated by scholars as a fault and even as evidence that they were not meant to be performed. More recently the attitude has been that Seneca was writing in the accepted style of the age in which he lived – Tacitus made the point that Seneca’s writing was *temporis eius auribus adcommodatum* (“perfectly adapted to the ears of his contemporaries,” *Ann.* 13.3) – and the modern critic must look at what he says within the rhetorical mode rather than miss Seneca’s meaning through prejudice against the manner in which it is expressed. Speeches like that of Clytemnestra’s nurse have a rhetorical grandeur that is preferable (according to some tastes such as those of the Tudor and Jacobean dramatists who imitated it) to the type of reproduction of common everyday speech that has come to be accepted as normative in nineteenth- and twentieth-century literary and dramatic practice. And by giving Clytemnestra a nurse who argues like a skillful professional orator, Seneca has employed a device that externalizes into a dialogue the internal conflict within the queen’s soul. It is a Roman dramatic convention that brings what is inside and normally invisible to the audience out into public view, analogous to the way the *ekkyklema* in the Greek theatre brought what was hidden inside the house out into the light of day, except that for Seneca what needed to be revealed was not physical but psychological. The condemnation by earlier scholars of the rhetoric of Roman tragedy seems now to indicate a certain lack of historical empathy and an inability to think beyond the realist conventions of the language of drama, fiction, and cinema in the modern era.

In contrast to the tragedies (and his ghostwriting for the emperor) where he created speech for other voices communicating with a large audience, Seneca in his philosophical works foregrounds his own personal voice and focuses his persuasion, ostensibly at least, on a single addressee. His decision to write in Latin both freed his work from the professionalized vocabulary of Greek philosophy, and relocated philosophy itself into a highly rhetoricized idiom perfected by generations of Roman political and forensic orators (for general features of his prose style see G. Williams 2003: 25–32; Currie 1966; Coleman 1974). That he was aware of the argument that a philosopher also needs to be skilled in the arts of eloquence we know for certain because it is made by his father in the work he composed for the education of his sons (*Controv.* 2 *praef.* 3). In Senecan thought, *in duas partes virtus dividitur, in contemplationem veri et actionem. contemplationem institutio tradit, actionem admonitio* (“Virtue is divided into two parts, the contemplation of truth and conduct. Training advances contemplation; admonition advances conduct,” *Ep.* 94.45). Seneca is no believer that knowledge alone is sufficient. It is only by means of specific “guidance, consolation, and exhortation that [philosophical doctrines] can become strong; for in and of themselves they are ineffectual” (*praecepta, consolationes, adhortationes, poterunt valere; per se inefficaces sunt*, *Ep.* 95.35). The admonitory imperative of Senecan philosophy clearly anticipates a need for the linguistic skills supplied by rhetoric. This validation of philosophical rhetoric goes along with a vigorous rejection of the more established alternative, the traditional Stoic emphasis on logic (a rejection wholly underestimated by Barnes 1997: 12–23; followed by Morford 2002: 184–5). Seneca’s rhetorical strategy is principally concerned with cutting through the defenses of contemporary Roman ideology, by dismantling it satirically, or recontextualizing it so as to make it seem trivial and benighted. Consider, for instance, the way he launches his attack on the value placed on historiography in Roman intellectual culture:

consumpsere se quidam, dum acta regum externorum componunt quaeque passi invicem ausique sunt populi. quanto satius est sua mala extinguere quam aliena posteris tradere? quanto potius deorum opera celebrare quam Philippi aut Alexandri latrocinia ceterorumque qui exitio gentium clari non minores fuere pestes mortalium quam inundatio qua planum omne perfusum est, quam conflagratio qua magna pars animantium exaruit? quemadmodum Hannibal Alpes superiecerit scribunt; quemadmodum confirmatum Hispaniae cladibus bellum Italiae inopinatus intulerit fractisque rebus, etiam post Carthaginem pertinax, reges pererraverit contra Romanos ducem promittens, exercitum petens; quemadmodum non desierit omnibus angulis bellum senex quaerere; adeo sine patria pati poterat, sine hoste non poterat.

quanto satius est quid faciendum sit quam quid factum quaerere, ac docere eos qui sua permisere Fortunae nihil stabile ab illa datum esse, eius omnia aura fluere mobilius! (Seneca, *Quaestiones Naturales* 3 praef. 5–7)

Some authors have squandered their lives writing about the activities of foreign kings and the things that nations have inflicted on or suffered from one another. Isn't it better, though, to eradicate evil in yourself than to record other people's evil actions for posterity? Is it not preferable to celebrate the achievements of the gods than those of marauders like Philip or Alexander and the rest, who by their destruction of whole populations have acquired a reputation as plagues upon the human race, like a flood that inundated every low-lying place or a fire that burned up almost every living thing? They write about how Hannibal surmounted the Alps; how he caused catastrophe in Spain as a springboard for bringing war unexpectedly into Italy; and how after the failure of his campaign, even after the defeat of Carthage, still as intractable as ever he would wander from king to king contracting himself out as a general to fight the Romans, going begging for an army; how, even as an old man, he continued to pursue opportunities for war in every corner of the world. He could bear to live without a country, but not without an enemy.

Rather than investigating what has been done it is far better to investigate what ought to be done, and to teach those who have entrusted their lives to Fortune that nothing she grants is ever durable, that everything she offers is as unstable as the breeze!

Seneca enjoyed disparaging history and historians (e.g., *Q Nat.* 4.3.1, 7.16; and the parody of historians' prefaces in *Apocol.* 1), though he knew Roman history well and incorporated historical anecdotes into his writings (Mayer 1991). Here he is using the contrast with historiography to assert the higher value of his own subject which is philosophical and scientific in purpose (see Armisen-Marchetti 1995; Hutchinson 1993: 15–17). His strategy is to provoke, and the effectiveness of the passage depends upon the reader's holding, at least initially, a contrary opinion: that the study of history is, in itself, a worthy occupation. There is a marked satirical strain (one might compare Juvenal on Alexander and Hannibal at 10.147–72) in keeping with which the world-conquering exploits of famous generals are belittled as mere *latrocinia* ("maraudings"); but Seneca extends the dishonor from the historical figures to the historians who perpetuate their memory. Though he disarms the Roman reader by referring initially to *regum externorum* ("foreign kings"), his climactic and most detailed example, Hannibal, who invades *Italia* and wages a lifelong vendetta *contra Romanos*, effectively abolishes any neat distinction the reader

may have entertained between Roman and foreign historiography. The reference to those who write about “how Hannibal surmounted the Alps,” for instance, must certainly include Livy and Cornelius Nepos. At the end of the passage the contrast is generalized to one between those who investigate “what has been done” and those investigating “what ought to be done” and there is no hint that the former category is divisible into Roman and non-Roman material. That his distrust of historians includes Roman historians is illustrated by his quotation from Sallust (*Iug.* 17) when making fun of historians who defend falsehoods (*Sen. Q Nat.* 7.16).

As noted, Seneca’s argument is based on a strong contrast between the work of the philosopher and that of the historian and, not unnaturally, antithesis is the main rhetorical device exploited throughout: between what nations inflict and what they suffer; between eradicating evil in yourself and recording other people’s evil; between the achievements of the gods and those of mere marauders; between flood and fire; between living deprived of a homeland and living deprived of an enemy; between studying what has been done and what ought to be done. By commencing three sentences with *quanto* followed by a comparative (*quanto satius*, “isn’t it better”; *quanto potius*, “is it not preferable”; *quanto satius*, “it is far better to”), initiating in each instance a rhetorical question or exclamation, Seneca drives up the emotional intensity, seeming to demand a reaction from the reader. Of the three *exempla*, Philip, Alexander, and Hannibal, the last and closest to home for Roman readers is described at much greater length by means of an impressionistic miniature biography built upon the threefold anaphora of *quemadmodum* (“how,” “how,” “and how”), and a series of place references (the Alps, Spain, Italy, Carthage, the Romans), all culminating in a memorable *sententia* (“he could bear to live without a country, but not without an enemy”) in which alliteration (*patria pati poterat*), syntactic parallelism coupled with aural echo (*sine . . . poterat . . . sine poterat*), antithesis (*patria / hoste; poterat / non poterat*), and paradox all play a significant part. Visual evocation, through simile, metaphor and allegory, is also prominent. The military accomplishments of Philip and Alexander are likened to both a massive flood and an equally devastating conflagration; and redefined as *latrocinia* (“maraudings”), a term with a considerable history in Roman political oratory (e.g., in Cicero’s Catilinarian and Philippic speeches). Hannibal, as an old man, is visualized searching *omnibus angulis* (“every corner of the world”) for someone to underwrite his anti-Roman obsession. And Fortuna is (as often in Seneca’s works) personified as an allegorical bestower of false benefits. The next sentences extend the allegory:

nescit enim quiescere; gaudet laetis tristia substituere, utique miscere. itaque secundis nemo confidat, adversis nemo deficiat: alternae sunt vices rerum. (Seneca, *Quaestiones Naturales* 3 praef. 7)

She knows no rest; she takes pleasure in replacing happy times with sad, or at least in mixing them together. So no one can afford to be too confident when things are going well, no one should be too despondent when they go badly: the conditions of life alternate.

The allegorizing of Fortuna enables a seamless transition to more direct moral instruction (“no one can afford to be too confident when things are going

well . . .”). Antithesis is still operative: *secundis . . . adversis* (“when things are going well . . . when they go badly”); *confidat . . . deficiat* (“too confident . . . too despondent”); and *lactis tristia* (“happy times with sad”). Seneca also uses the rhetorical figure known as *correctio*, when he purports to revise a previous statement (*utique miscere*, “or at least in mixing them together”); and again encapsulates the main idea in a final pithy maxim: *alternae sunt vices rerum* (“the conditions of life alternate”). His portrayal of Fortuna here foreshadows the end of the book where the loss of Fortune’s favors to be replaced by sudden ruin is extended from an individual to a cosmic scale (*Q Nat.* 3.29.9).

While the surface texture of Seneca’s writing reveals the intelligent application of rhetoric in every paragraph, the underlying structure of his various works has seemed to many readers personal and idiosyncratic and to lack the kind of systematic arrangement espoused in the rhetorical treatises (see Wright 1974: 39, who subsequently defends Seneca’s formal organization along rhetorical lines). This is itself, no doubt, partly the result of a conscious rhetorical strategy and consistent with a style that aims at provocation, shock and surprise rather than predictability and orderliness of exposition. His favored literary modes are the epistolary and consolatory, both of which allowed, in fact demanded, great flexibility in structure depending on the character and situation of the addressee, and even in his other works he tends to exercise this same freedom from formal generic constraints. An earlier school of thought liked to see in his writing the influence of the “diatribe” (e.g., Wright 1974: 45–6), but that “genre” has been exposed as a modern academic myth (Jocelyn 1979, 1982). Modern readers are sometimes misled by the titles under which works are printed (especially where these have been added to the epistles) into thinking that the subject is other than what it is. Even a title like *De Ira* (*On Anger*) suggests to the modern reader a systematic and comprehensive analysis of its subject, yet the opening sentence of the work contradicts this by stating that the author’s aim is to show *quemadmodum posset ira leniri* (“how anger may be calmed,” *De Ira* 1.1.1). In other words, the title implies a more theoretical and analytical focus; the text itself claims to be practical and therapeutic in orientation (Nussbaum 1994: 405–10). If one turns to the end of the same work (*De Ira* 3.42–3) one finds that it closes with a powerful peroration inspired by the theme of mortality. The final antidote for anger is not knowledge of its nature, nor even the practical precautions Seneca previously recommended, like giving time for passions to cool (1.15.3, 2.29, 3.12.4–7), avoidance of frustrating situations (3.7), relaxation (2.20.3–4, 3.9), association with calm people (3.8), or distraction (3.39.4). It is rather the despising of anger as petty and contemptible.

non timori cuiquam, non periculo simus, detrimenta, iniurias, convicia, vellicationes contemnamus et magno animo brevia feramus incommoda. dum respicimus, quod aiunt, versamusque nos, iam mortalitas aderit. (Seneca, *De Ira* 3.43.5)

We should avoid making ourselves a source of fear or peril to anyone. It’s better to scorn any harm, injuries, slanders and tauntings inflicted on us and to bear transitory injustices with a mind above such things. While we look back and turn around, as the saying goes, death will have caught up with us.

In Seneca’s most forceful passages the type of oratory to which he is closest is that of the battlefield speech by the general to his troops, aimed at inspiring them to *virtus* in

the face of imminent death, in the name of an ideal worth dying for, defined in terms not of patriotism but of personal exemplarity. In the attempt to control anger, he writes: *nec ulla res magis proderit quam cogitatio mortalitatis* ("no other thing will be of greater efficacy than the idea of mortality," *De Ira* 3.42.2).

Other, less intense rhetorical situations are sometimes contrived as a textual strategy, for instance the imaginary court hearing where his addressee, and likewise his reader, is appointed the judge before whom Seneca will lay out the evidence: *eam partem ad te perferam quae in lite est. te arbitrum addiximus. plus negotii habes quam existimas; triplex causa est* ("I'll present that matter to you that is the subject of dispute. I appoint you arbitrator. You have a bigger job than you realize for it is a case with three sides," *Ep.* 65.2). After laying out the various positions, concerning the competing theories of causation of the philosophical schools, he requests judgment: *aut fer sententiam aut, quod facilius in eiusmodi rebus est, nega tibi liquere et nos reverti iube* ("either give your decision or, what is easier in matters of this nature, declare it is unclear and set a date for a retrial," 65.15). The *De Providentia*, despite the conventional and misleading title, is in the form of a defense of Providence against the complaint that evils often fall upon good people (1.1). Seneca offers himself as a legal advocate defending Providence against a false accusation:

sed quoniam a toto particulam revelli placet et unam contradictionem manente lite integra solvere, faciam rem non difficilem, causam deorum agam. (Seneca, *De Providentia* 1.1)

Since you want this specific question dealt with apart from the whole subject, and that one objection be answered while the rest of the lawsuit is left aside, I will take on a brief that is not difficult. I will plead the case of the gods.

Another of the techniques used by Seneca to shift the rhetorical register is to create internal speeches within his texts in a way not dissimilar to that practiced by historiographers. The internal speaker can sometimes be the author himself, as at *Epistle* 8.3–5 where he introduces the speech as follows: *rectum iter, quod sero cognovi et lassus errando, aliis monstro. clamo* "...'"("I direct others to the straight path, which I discovered late and exhausted after wandering lost. I shout '...',"*Ep.* 8.3–5). At other times the internal speeches are attributed to other voices and personalities according to the rhetorical device of prosopopoeia, as when the emperor Claudius is brought into the *Ad Polybium* (14.2–16.3) to console his grieving freedman. The speech Claudius delivers with its catalogue of historical parallels identifiably accords with the emperor's style as we know it from other sources. Other excellent examples of such embedded orations are the two speeches of Demetrius in the *De Beneficiis* (7.1.3–7, 7.8.10–16), and those of Attalus at *Epistles* 90.14–20 and 110.14–20, of Cato at *Epistle* 71.15, Marcellus at *Ad Helviam* 9.7–8, the sage at *De Vita Beata* 24.4–25.3, the imagined self-appraisal of the good Roman emperor at *De Clementia* 1.2–4, the repudiator of philosophy at *Epistle* 123.10–11, and the address to his daughter put in the mouth of the deceased historian Cremutius Cordus at the climax of the *Ad Marciam* (26); to these one might add the parodies of senatorial oratory in the *Apocolocyntosis*. Even *Ratio* ("Reason"), when she speaks, does so with the advantage of rhetorical training.

hanc si audire volueris, dicet tibi: “relinque ista iamdudum ad quae discurritur. relinque divitias, aut periculum possidentium aut onus. relinque corporis atque animi voluptates; molliunt et enervant. relinque ambitum; tumida res est, vana, ventosa, nullum habet terminum, tam sollicita est, ne quem ante se videat quam ne quem post se. laborat invidia et quidem duplici; vides autem, quam miser sit, si is cui invidetur et invidet.” (Seneca, *Epistulae* 84.11)

If you are willing to listen to her (*Ratio*) she will say to you: “renounce those things after which you’ve been chasing to and fro. Renounce the quest for wealth which only burdens or endangers those who possess it. Renounce the quest for pleasures of the body and the mind; they weaken and demoralize. Renounce ambition; it is a bulging thing, but empty and fickle, and, knowing no point of completion, is as troubled by the sight of anyone ahead of itself as by someone close behind. It is harassed by envy from two directions; you see how wretched is he who is both envied and envious.”

A parallelism is created by the fourfold repetition of the imperative *relinque* (“renounce”). Each command contains more words than the previous one, by which means the power of the speech accumulates like a wave that swells in size then seems to break at the end, when the last sentence disrupts the expected pattern (*laborat invidia* . . . , “it is harassed by envy . . .”). Antithesis (“of the body and the mind”; “ahead of itself . . . close behind”), doubling of near synonyms (*molliunt et enervant*, “weaken and demoralize”), paradox (“a bulging thing, but empty”), personification (ambition is “as troubled by the sight of anyone ahead of itself as by someone close behind”), and alliteration (*periculum possidentium*; *vana, ventosa*) are all weapons Reason has borrowed from rhetoric’s arsenal. She concludes her speech with a compact *sententia* (“you see how wretched is he who is both envied and envious”) involving wordplay (*invidia* / *invidetur* / *invidet*) and paradox. In Seneca’s philosophical argumentation there is no language of Reason other than the language provided by Roman rhetoric (a point often misunderstood, e.g., by Ijsseling 1976: 39).

Such internal speeches are only one means by which Seneca manipulates the character and tone of the speaking voice heard by the reader. He is able to present himself in a variety of roles: as teacher, counsellor, comforter, fellow student, satirist, literary critic, moralist, autobiographer, friend or scientific observer, Stoic or admirer of Epicurus, physician, psychotherapist, or companion in suffering. In the *Epistles* he resituates himself in every letter in a new set of circumstances, in a new mood, in a new reflective context (Edwards 2005: 277–9). By insisting that he is, like the reader, imperfect, that he is making his way toward wisdom, but with many wrong turnings (e.g., *Ep.* 1.4, 6.1, 8.2, 27.1), he is able to use himself as a prime example of both human weakness and progressive self-transformation through philosophy (Edwards 1997b; Albrecht 2004). There is nothing inconsistent with this self-representation in his occasional relapses into un-Stoic language and behavior. Although he is himself the author of three books *De Ira* (*On Anger*), his tone to Lucilius in some letters (e.g., *Ep.* 96) is one of marked impatience, and there are times when he specifically declares that he is angry, either with Lucilius (*queror, litigo, irascor*, “I have a complaint, an accusation, I am angry,” *Ep.* 60.1) or with third parties (*iratus illi proximam occasionem stomachandi arripio*, “being angry, I jumped at the first excuse to vent my feelings,” *Ep.* 12.2). Similarly, in urging Lucilius to limit grief he admits his own inability to do so in the case of an earlier bereavement of his own (*Ep.* 63.14).

Accompanying these continual shifts of *persona* and voice are transmutations no less frequent and unpredictable in the figure at whom the rhetoric is directed. Seneca's formal addressees, Lucilius, Gallio, Serenus, Helvia, and Liberalis, for instance, are usually either good friends or members of his family whom he need never raise his voice to or assail rhetorically. The famous letter attacking the mistreatment of slaves (*Ep.* 47) is addressed to Lucilius, though Seneca makes it clear that Lucilius does not mistreat his slaves and is the last person to deserve this kind of censure (*non est enim tibi exhortatione opus*, "you have no need to be persuaded of this," *Ep.* 47.21). Within the texts, though, he conjures up an ever changing parade of opponents with whom to fight, against whom a more aggressive rhetoric is necessary. Most common is the *adversarius*, the anonymous disbeliever who can be relied upon to raise objections to whatever proposition Seneca is currently advancing. Usually his presence is marked by a simple word or phrase like *inquit* ("someone says"), and thus elicits Seneca's answers to queries that may be thought to lurk in the reader's mind or that Lucilius or any other formal addressee would be unlikely to raise. The *adversarius*, himself a creation of the author, is made to ask the questions the author wants to answer, and can enunciate whatever alternative opinions the author wants to project on to him. Sometimes the *adversarius* can take on a collective identity, as a group with whom Seneca imagines himself in contention, as when he argues with the other spectators at the gladiatorial arena (*Ep.* 7.4–5). More often the group represents Roman society in general, or some part thereof whom he may harangue *en masse* (e.g., his speeches to acquisitive humanity at *Ad Helviam* 10.6 or to the elderly at *De Brevitate Vitae* 3.2–5). In *Epistle* 99 he has Marullus supplant Lucilius as addressee entirely by including the letter to the former within the correspondence with the latter.

Another powerful technique that allows Seneca to employ a more fiery rhetoric is to conjure up an allegorical personification of one of the common objects of human anxiety. Thus he addresses a number of speeches to Fortuna, the enemy of philosophy (e.g., *Ad Polybium* 2.2–7, 3.4–5, 13), and chastises Death itself at *Epistle* 24.14. By means of these types of devices for adjusting the imaginary speaker, the recipient, and the context of his rhetoric, Seneca directs the drama of philosophy on a stage he has constructed in the reader's mind (Hijmans 1966; Traina 1987⁴). The whole performance is designed to involve the reader emotionally as well as intellectually. It is a credit to Seneca's instincts as a writer that he did not allow the Stoic principle that the emotions must be suppressed (*Ep.* 85.3–5, 116.1) to enfeeble the vigor of his Latin prose. His writing is nothing if not impassioned. Stoicism required the annihilation of passions; rhetoric encourages the arousal of passions. For Seneca, his own mode of writing eventually claimed his attention as a fundamental philosophical problem.

It was near the end of his life that Seneca became preoccupied with the ethical and philosophical implications of rhetorical styles of expression, for this is not a conspicuous concern in his earlier works, and even in the *Epistles to Lucilius* the issue is given progressively more attention as the collection proceeds. In the fourth book of the *Epistles* several interconnected changes occur. The first is the termination of the previous practice of including short quotations from philosophers at the end of each letter, upon which the reader is invited to reflect. In *Epistle* 33 Seneca rejects an appeal from Lucilius to reinstate them. A second associated change is Seneca's insistence on reading philosophical works in their entirety.

quare depone istam spem, posse te summatim degustare ingenia maximorum virorum; tota tibi inspicienda sunt, tota tractanda. res geritur et per lineamenta sua ingenii opus nectitur, ex quo nihil subduci sine ruina potest. (Seneca, *Epistulae* 33.5)

Give up any idea you might have that you can get a taste of the thought of the greatest men piecemeal. It needs to be examined in its entirety, studied in its entirety. Its success lies in its continuity, for such works of intellect are interwoven with their own characteristic qualities so that no part can be subtracted from the whole without destroying it.

This message is reiterated at *Epistle* 39.1 where Seneca disparages the use of epitomes of philosophical doctrines: *sed vide, ne plus profutura sit ratio ordinaria quam haec, quae nunc vulgo breviarum dicitur, olim cum latine loqueremur, summarium vocabatur* (“but consider whether the full course of reading is not more useful than what today is referred to as an abridgement but used to be called a summary when we spoke proper Latin,” *Ep.* 39.1). This focus on entire works he justifies by pointing to the access it provides to the character of the writer (*ingenia maximorum virorum*, “the thought of the greatest men”) which for Seneca is not separable from his philosophy. It seems not unconnected with a third innovation near the end of the book which sees for the first time a whole letter devoted to the question of what kind of language is appropriate for the communication of philosophy.

quae veritati operam dat oratio, inconposita esse debet et simplex. haec popularis nihil habet veri; movere vult turbam et inconsultas aures inpetu rapere, tractandam se non praebet, aufertur. quomodo autem regere potest, quae regi non potest? (Seneca, *Epistulae* 40.4)

The style of speech that pays attention to truth ought to be spontaneous and direct. This fashionable style has nothing to do with the truth. It seeks to sway the crowd and capture the ears of the inexperienced by its rapidity. It does not offer itself for deeper consideration, but rushes away. How can a style of language rule others if it cannot rule itself?

A discourse about self control cannot succeed if its language does not manifest the quality of restraint. Seneca’s worry is that the oratorical style of the day may undermine the success of philosophical discourse by conveying an impression of the philosopher as being too intent on oratorical virtuosity, thereby compromising his authenticity in the reader’s or audience’s eyes. Beneath the surface we may detect an uneasiness on Seneca’s part about the perceptions of himself that his own rhetorical brilliance may provoke. In *Epistle* 40 the philosopher concerned is Serapio, a Greek and one whose discourse was spoken. Seneca considers Latin a more weighty language than Greek and therefore more suited to moral philosophy as he conceives of it: *Romanus sermo magis se circumspicit et aestimat praebetque aestimandum* (“the Roman language looks more carefully around itself, evaluates, and offers ideas for evaluation,” *Ep.* 40.11). His prime example in *Epistle* 40 of such a writer of Latin is Papirius Fabianus, *vir egregius et vita et scientia et, quod post ista est, eloquentia* (“a man remarkable for his way of life, for his knowledge and, what is of less significance than these, for his eloquence,” *Ep.* 40.12).

Seneca’s choice and unique handling of the epistle as a form enabled him to experience and present the relation of philosophy and rhetoric in a more personal

and profound way than other philosophers. In the first place it removed the issue from the simplifying polarization of “philosophy versus rhetoric,” of “Socrates versus Gorgias,” as if philosophers and users of language were different species, that is both the result and inherent defect of the philosophical dialogue as a genre. The suggestion of some ancient theorists that the letter may be conceptualized as “one half of a dialogue” (see Demetr. *Eloc.* 223–5) is fatally misleading in its overemphasis on the affinity at the expense of the dissimilarity between the two genres. Nor does Seneca objectify the issue as if in a treatise where the subject for investigation is assumed to be separate and distinct from the investigator. Secondly, because, unlike the dialogue which purports to be a recording of spoken conversation, the epistle is always a transaction between a writer and a reader, Seneca’s adoption of the epistle form relocated philosophical language from an ostensibly oral into an unambiguously textual condition. Texts can be reread, criticized and interpreted more closely and in more leisurely circumstances than oral performances, as Seneca himself was only too aware: *ferè quae inpetu placent, minus praestant ad manum relata* (“those words that please by their rapidity offer less value when taken up in the hand”); the words of a writer (like Fabianus) *animis scripsit ista, non auribus* (“are written for people’s minds, not their ears,” *Ep.* 100.2–3). Consequently the manner of expression becomes elevated in significance as a permanent marker of the philosopher’s quality of mind and character and as a constituent of meaning. Any attempt, therefore, to portray Seneca’s discussions of style merely as a conventional feature of ancient philosophical debates is certain to be reductive in the extreme since it is to ignore their connection with epistolarity as a textual mode, the self-exploratory focus of the *Epistles to Lucilius* as a literary project, and the sequentiality of the *Epistles* which shows a growing fascination over the course of their composition with the problem of how to write philosophy when your available means of expression and the expectations of your readers are supplied by a cultural tradition and system of education oriented overwhelmingly toward rhetorical norms.

It is one of the complexities of Seneca’s character that while he displays all the skills of rhetoric, he comes to use them also to limit and at times to deny the importance of paying attention to language: *facere docet philosophia, non dicere* (“philosophy teaches us to act, not to talk,” *Ep.* 20.2); *ad rem commoveantur, non ad verba composita; alioquin nocet illis eloquentia, si non rerum cupiditatem facit, sed sui* (“people should be aroused by the content, not by the arrangement of words; otherwise eloquence is harmful in that it engenders a passion not for the subject but for itself,” *Ep.* 52.14); *non delectent verba nostra, sed prosint* (“let words give not delight, but practical benefit,” *Ep.* 75.5); *quaere quid scribas, non quemadmodum* (“you should seek what to write, not how to write it,” *Ep.* 115.1). In this he was at odds with his father, whose overvaluation of oratorical expertise above other achievements, “hated” of philosophy (*philosophiam oderat*, *Ep.* 108.22), and canonization of Cicero as the hallmark of good style he unambiguously rejected. The point at which their disagreement is most apparent is in their contradictory opinions on the style of Fabianus, disparaged by Seneca *Rhetor* (*Controv.* 2. *praef.*) but defended by Seneca *Philosophus* in *Epistle* 100 (for full discussion see Leeman 1963: 260–83; some have attempted to downplay the disagreement: Griffin 1972: 16; Fairweather 1981: 275). Fabianus was a deserter from declamation to philosophy, as later was Seneca himself. Seneca’s approach to rhetoric as a subject was not didactic or historical, like his

father's, but critical and interpretative, interested not in how to produce eloquence but in how it would be received. His concern was that the fetishization of style had the potential to undermine the serious ethical message philosophical writing ought to carry. Hence his maxim: *oratio sollicita philosophum non decet* ("overattention to language is inappropriate in a philosopher," *Ep.* 100.4). His most detailed discussion of rhetorical styles is in *Epistle* 114, which foreshadows Tacitus' *Dialogus* in its concern with the broader social and ethical implications of changing literary and oratorical fashions. There is no canonical style or era (*oratio certam regulam non habet*, "style has no fixed standard," *Ep.* 114.13), but good rhetoric must take as its starting point the linguistic norms of the time. And rhetorical style is always ethically significant: *talis hominibus fuit oratio qualis vita* ("people's language reflects their manner of life," *Ep.* 114.1).

Seneca's adoption in his last years of the more intimate and fluid literary genre of the epistle is the culmination of his quest for a degree of freedom from the communicative forms traditionally available. The genre allowed him to construct a personal philosophical discourse that followed the movement of his mind more closely, taking as its ideal not public speech but private conversation, and even on occasion the unpredictable transitions and changes of direction of spontaneous thought; he writes: *sic itaque me audi, tamquam tecum loquar* ("listen to me as if I were talking to myself," *Ep.* 27.1). It is Seneca's dilemma, as it had been Fabianus' before him, to be, on the one hand, the inheritor of the rich rhetorical tradition of Rome but, on the other, to repudiate on philosophical grounds the value conventionally placed on it by his society. While he deplores the misplacement of praise on rhetorical facility, he nevertheless defends, in fact advocates, the use of rhetorical skills, provided they enhance efficient communication of the philosophical message and do not distract the reader from it (*Ep.* 59.4-6, 75.3-5). No matter how much Seneca strives to escape from rhetoric or criticizes its use and abuse, his very thinking is structured by it. His deep unease with rhetoric goes along with an equally deep unease with the person he is. And the manner in which he expresses that unease is itself rhetorical.

Some readers may take this as evidence of ingrained hypocrisy: "he espouses poverty, yet was rich; he says actions count rather than words, yet always writes rhetorically." Seneca is often judged not on what he wrote but on what other sources like Dio and Tacitus said about him (Griffin 1974; 1976: 420-44). As a political figure as well as a philosopher, he still arouses strong reactions, such that voicing an antipathy for Seneca has become an easy way for modern academics to parade their own moral and political incorruptibility. Such a stance, however, grossly simplifies Seneca's critical engagement with the society that shaped him and underestimates his insight into the sources and process of his own acculturation. He advocates neither poverty nor bad writing, but perceives a perversity in the pursuit of wealth and eloquence for their own sakes. In his discussions of rhetoric he goes further than other Romans, including Tacitus, in questioning the weight placed on rhetoric in the Roman hierarchy of values (as opposed to merely analyzing the causes of oratory's supposed decline). His approach differs from others in that he does not view rhetoric only as a social and historical phenomenon (though he does that too, especially in *Ep.* 114) but as part of himself, as part of what makes him Seneca, the trained rhetorician trying to remake himself as Seneca the philosopher. His interest in the implications of rhetorical expression is inextricable from his deep engrossment in

the constitution and refashioning of the self. Compared with other ancient writers on rhetoric he saw further into his own ideological conditioning and succeeded in staking out a forward position from which it was possible to observe and attack it.

FURTHER READING

After a period of relative neglect Seneca's writings are currently enjoying renewed interest. For a range of influential modern articles on Seneca, see Fitch (2006). On Seneca's philosophy, Inwood (2005) is essential reading. On his style and use of rhetoric, Traina (1987), in Italian; Costa (1995); and Mutschler (1995) provide useful starting points for further investigation. Albrecht (2004), in German, provides an integrated appreciation of Seneca's philosophical and literary achievement and its later influence. On the letters in particular, see Edwards (1997b), Wilson (2001), and Henderson (2004).

CHAPTER THIRTY-TWO

Rhetoric and Historiography

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Rhetoric and historiography have a fruitful but unstable union. In the present chapter the fruit – in the form of finely crafted historical narratives – is neglected; our focus is the pair’s problems. The central issue is how reliable the ancient narratives are *qua* historical source, if historiography is rhetorical. Woodman’s *Rhetoric in Classical Historiography* threw down the gauntlet in 1988: “Classical historiography... is primarily a rhetorical genre and is to be classified (in modern terms) as literature rather than as history” (1988: 197). Wiseman had laid out some of the argument that underlies this view in his 1979 *Clio’s Cosmetics*, showing the spread of rhetorical elements into historical narrative and the consequent “expansion of the past” (the phrase is from Badian 1966: 11; quoted with approval by Wiseman 1994: 138; for further developments of the argument see Wiseman 1979a, 1979b, 1981, 1993; for critiques see Cornell 1982, 1986). Focusing as he does on the history of the republic, Wiseman provokes less dissent than does Woodman working on authors of contemporary or near-contemporary history. For the early republic the survival of information in the amounts needed to fill the large-scale “from the beginning” histories of, for example, Gnaeus Gellius, writing in the late second century BCE (thirty-three books for the period from Aeneas to the second Punic War; Badian 1966: 12 calls him “the voluminous Gellius”), or Dionysius of Halicarnassus, writing in the late first century BCE (twenty books for the period from Aeneas to the first Punic War), is generally agreed to be unlikely (see, e.g., Badian 1966; Rawson 1976; Wiseman 1979a: 9–26; Oakley 1997: 72–99). One has to suppose that some of the “history” was invented, and the fact that members of Rome’s leading *gentes* do the same sort of thing generation after generation shows that fleshing out the character of a *gens* by means of individual exploits was one fruitful form of invention (Vasaly 1987, 1999; Wiseman 1979a: 57–139; Oakley 1997: 98–9; other methods for “creating history out of next to nothing” are discussed briefly by Wiseman 1979a: 23–5, and at greater length by Oakley 1997: 72–98). The notion gains in plausibility when we find men with no experience of public affairs writing on Rome’s public affairs: “the whole

point of the new historiography was that it took a rhetorician to write it” (Wiseman 1981: 380). Examples include, in addition to Dionysius of Halicarnassus, Quintus Claudius Quadrigarius and Valerius Antias (on whom see Badian 1966: 18–22; Oakley 1997: 89–93), and the elder Seneca (on whom see below). When Woodman argues for comparable inventiveness in the senatorial historian Tacitus writing on events close to and during his own lifetime, however, protests ensue (e.g., M. Gwyn Morgan 1992–3: 36: “Yet the question which appears not to have occurred to Woodman is why a writer of contemporary history would either need or want to engage in *inventio*, especially on a topic for which there was no shortage of material”).

The question of the evidentiary value of ancient historiography has a different salience for different (modern) types of history. It is exceedingly troubling for a historian developing a narrative of events – *histoire événementielle* – if *inventio* (on which see below) extends to events. But it is not a grave problem for historians of culture or society if, say, the description of one event has been applied to another. For such historians the stipulation that the narrative be plausible provides comfort (on plausibility see further below); indeed for someone pursuing the history of *mentalités*, plausible is almost better than true, insofar as it provides evidence about the world-view of the author and his contemporaries.

The part of rhetoric that is particularly problematic in historiography, at least in connection with its reliability as a historical source, is *inventio*, the first and, according to Cicero, most important part of rhetoric, which he defines as “the thinking-up of material, true or truth-like, to make one’s case plausible” (*inventio est excogitatio rerum verarum aut veri similibus, quae causam probabilem reddant*, *Inv. Rhet.* 1.9; cf. *Rhet. Her.* 1.2.3; see Lausberg 1998: secs 260–442 for ancient definitions and discussion). “True or truth-like,” there’s the rub. More precisely, the “rub” lies in the role of *inventio* in the construction of narrative; the invented speeches that enliven ancient histories are relatively unproblematic, although it is naturally of interest, where possible – as it is for one speech in Tacitus (see Griffin 1990) – to see how closely the historian’s composition matches the original speech. The basic questions are: How far from the truth does truth-like take us? And will we know when we have been taken? My plan therefore is to look first in general terms at the constraints on narrative *inventio* in oratory and especially historiography. Then I will turn to some examples of *inventio* in the historical narrative of Livy (writing *ab urbe condita* history) and Tacitus (writing the history of the recent past), both of them heavily dependent on the (now lost) narratives of earlier historians. To conclude, I will look at the use of *inventio* by an author writing up his own achievements, namely, Caesar. (Hereafter I distinguish between *inventio*, which involves the discovery of true as well as truth-like material, and fiction or invention, which lacks evidentiary warrant.)

Inventio: Theory

The definition of *inventio* given above has a built-in constraint: the material has to contribute to the plausibility of the case being made. This constraint gets some teeth from the agonistic context of both oratory and (as we shall see) historiography. In a

forensic context, for example, a speaker's *narratio* will be balanced by a *narratio* from the opposing side (Quint. *Inst.* 4.2.14). When the issue is whether or not the defendant did something, the prosecution will give a narrative that includes the crime, complete with various suspicion-raising details (*Rhet. Her.* 2.3; Quint. *Inst.* 4.2.81), the defense a narrative that does not include the crime, complete with exonerating details such as the character, background, and record of the defendant (*Rhet. Her.* 2.3; Quint. *Inst.* 4.2.14). *Narratio* was inherently tendentious: *neque enim narratio in hoc reperta est, ut tantum cognoscat iudex, sed aliquanto magis ut consentiat* ("narrative is devised not for this, that the judge may simply know, but rather more so that he may agree," *Inst.* 4.2.21; see further Lausberg 1998: sec. 289). A speaker's *narratio* is also going to be the target of his opponent's argument and refutation sections, which may probe it with various questions: *quare, quo consilio, qua spe perficiendi quidque factum sit; hoc cur modo potius quam illo; cur ab hoc potius quam ab illo; cur nullo adiutore aut cur hoc...* ("why each thing was done, with what intent, with what hope of getting away with it, why this way rather than that way, why by this person rather than that one, why with no assistant or with this assistant...", *Cic. Inv. Rhet.* 2.45). The opponent will also point out where the *narratio* is inconsistent either with nature or with the rest of the story (Quint. *Inst.* 4.2.52, 60, 90), ask about omissions (4.2.77), and challenge fictions on the grounds of relevance (4.2.89). Irrelevant and easy-to-invent incidents such as dreams and superstitions are such obvious fictions as to do more harm than good (4.2.94). The *narratio* can also expect to be confronted with evidence from documents, witnesses, and rumor (*Rhet. Her.* 1.16; *Cic. Inv. Rhet.* 2.46; Quint. *Inst.* 4.2.93). *Mutatis mutandis* the same constraints operate for deliberative oratory, where the speaker's proposal vies with that of an opponent.

Given these constraints, how much room is there for fiction in the narrative portion of speeches? Quintilian certainly envisions some: *non minus laborandum est ut iudex quae vere dicimus quam quae fingimus credat* ("one has to devote as much effort to getting the judge to believe what we are inventing as to getting him to believe what we are saying truthfully," *Inst.* 4.2.34). The judge is likely to believe a narrative if he can anticipate correctly what comes next; hence Quintilian recommends that it be given either a *ductus rei* ("plot line") like those in comedies and mime performances (4.2.52), or preparatory details such as those that Cicero uses to show Milo's unhurried departure for Lavinium (*Mil.* 28). Here Cicero predisposes the judge against seeing Milo as a man with murder in his thoughts by depicting him as waiting, "as one does" (*ut fit, Mil.* 28), for his wife to get ready (Quint. *Inst.* 4.2.57).

Under the heading of *falsae expositiones* ("false statements") Quintilian mentions those that are based on false testimony and those that come from the speaker's invention (4.2.88). The latter can be attacked on a number of the grounds mentioned above, and should be both linked to something demonstrably true and limited to things such as thoughts, which are inherently unverifiable (hence unfalsifiable), or things that are unlikely to be challenged, things, for example, that involve someone who is dead or who benefits from the fiction, or one's adversary himself, whose denial will not carry much weight (4.2.93).

The historical narrative is constructed under similar constraints. Challenges to its *ficta* may come more slowly, but they may also be more thorough: Quintilian notes

that the reader will notice rhetorical manipulations (*praeparationes*, such as Cicero's for Milo) even if they fooled a judge (*Inst.* 4.2.59). Wiseman's essay *Lying Historians* (1993) is built entirely on the critiques of *ancient* readers (e.g., Strabo, the younger Seneca, Josephus, Lucian, the author of the *Historia Augusta*), whose training enabled them to spot rhetorical invention.

Authors of contemporary history risked refutation by participants. The broadly deterrent effect of potential refutation is cited by Josephus in connection with Iustus of Tiberias, the author of a work that rivaled his own *Jewish War*. Iustus, he says, delayed publication of his history for twenty years so as to bring it out when key participants were no longer alive to refute him (*Vit.* 360). But Iustus did not wait long enough. Josephus, who commanded Jewish forces in Galilee in 66 CE, criticizes Iustus' narrative of events in Galilee on the grounds that Iustus was in Beirut at the time. He was therefore dependent on informants, but did not track down "what the Romans suffered and did at the siege of Jotapata" (ὅσα ἔπαθον Ῥωμαῖοι ἐπὶ τῆς Ἰωταπάτων πολιορκίας ἣ ἔδρασαν, *Vit.* 357) – the siege was the culminating event of the campaign – nor did he obtain information from Josephus about what went on inside the besieged city. Moreover, Iustus' account of the siege of Jerusalem is refuted, according to Josephus, by its inconcinnity with a highly authoritative (if undoubtedly partisan) account recorded by the Roman commander, Titus, in his *Commentaries* (*Vit.* 358). Titus' version is the gold standard for Josephus, who had tied his own fortunes to that of the Flavian house and whose version of events has Titus' seal of approval as well as that of another well-informed (and powerful) participant, Agrippa II (*Vit.* 361–7): Josephus "elects to risk a charge of toadyism in order to rebut the charge of inaccuracy" (Luce 1989a: 26). A dead Caesar gets no such respect.

Julius Caesar's *commentarii* were said by his legate Asinius Pollio to be marred by more than one kind of inaccuracy: *Pollio Asinius parum diligenter parumque integra veritate compositos putat* ("Asinius Pollio thinks that they were composed with too little care and too little regard for the truth," Suet. *Iul.* 56.4; for analysis of the context in Suetonius see Lossman 1957; for Pollio's purpose see Morgan 2000: 55–60). First, on events that occurred outside his direct command Caesar sometimes gave too much credence to his subordinates' reports (*Caesar pleraque et quae per alios erant gesta temere crediderit*, *Iul.* 56.4). Caesar was aware that such reports contained self-promotion (see *B Civ.* 2.39.4), and choosing among them must have been a ticklish business. Pollio's grounds here are not entirely clear from *temere*, but Morgan (2000: 59) aligns the critique with Thucydides 1.22.2–3, particularly with the historian's obligation to investigate eyewitness testimony.

Pollio also charges Caesar with witting and unwitting inaccuracies in connection with events in which Caesar himself participated: *quae per se, vel consulto vel etiam memoria lapsus perperam ediderit* ("the things he did himself he reported incorrectly, either deliberately or even because of a memory lapse," Suet. *Iul.* 56.4). Caesar was either forgetful, or calculating. Both Caesar and Pollio were present at the battle of Pharsalus, for example, and Caesar's count, "around 15,000," for the Pompeian dead was substantially larger than Pollio's 6,000 (*B Civ.* 3.99.4; Pollio's number is attested in Plut. *Caes.* 46.3; Pompon. 72.4; App. *B Civ.* 2.82). Whether by virtue of its greater accuracy or more vivid narrative – Pollionic scenes such as the crossing

of the Rubicon (*iacta alea est*, “the die is cast,” Suet. *Iul.* 32), the incognito boat trip, and Caesar’s contemplation of the Pharsalus dead (*hoc voluerunt*, “they wanted this,” 30.4) were welcomed by subsequent narrators – Pollio’s version was more influential on subsequent accounts of the civil war (Livy, Appian, Dio, Plutarch, Suetonius) than was Caesar’s (see Morgan 2000: 60–5 on Pollio’s independent voice and his rivalry with the commentaries of his former commander).

The possibility of refutation by authoritative witnesses must have been a powerful constraint on *inventio* for writers of contemporary history, perhaps particularly powerful in Rome given the tendency of Roman historians to ground their credibility in their personal *auctoritas* (see, e.g., Kennedy 1972: 42; Fornara 1984: 54; Marincola 1997: 130). Where evidence of refutation survives, it is usually, as in the cases considered above, connected with parallel narratives. These were a constraint on historians of the more distant past as well. Livy, for example, discounts an event recorded by Licinius Macer, an important source in the earlier books of his first decade (see Ogilvie 1958), on the grounds that it was not attested in the “older histories” he had consulted (7.9.5). Since the event in question redounded to the credit of the Licinius’ own ancestral line, Livy assumes that the historian invented it and says that he now considers Licinius *leviorem auctorem* (“less authoritative,” 7.9.5; see Marincola 1997: 248–9 on Livy’s “reliance on the earliest historians where possible,” and “rejection of the invention and exaggeration of the later Annalists, especially those of the generation immediately preceding his”).

When he suspects fiction but sees no motive for it, as in the case of a rumor reported by Valerius Antias for the year 189 BCE (37.48.1–7), Livy marks the episode as suspect but refrains from comment on the author. The rumor’s content was sensational, and Livy paraphrases it at length: two Roman commanders in the war in Asia against Antiochus were captured by treachery and their army defeated. The same rumor, according to Livy’s report of Antias’ *fabula* (37.48.6), gave rise to an uprising in Aetolia. Livy’s comment is that since he has no other source for this rumor, he does not consider it confirmed. But he does not bypass it entirely *pro vana*, despite the fact that his language (esp. *subtexit . . . fabulae huic*) suggests that he views it as a Valerian fiction. Livy expects approbation from his readers for his research methods (see Potter 1999: 80; cf. 94–5 on Tacitus’ openness about his methods at *Ann.* 4.10–11).

For ancient historians of the distant (and not so distant) past, constructing a narrative involved deconstructing the narrative(s) of one’s predecessors, and Livy as he wrote must have been conscious that his own narrative would receive similar scrutiny (he was right, as we will see below). Indeed in his preface he alludes directly to the competition between historians that one glimpses in these critiques of Macer and Antias: *novi semper scriptores aut in rebus certius aliquid allatueros se aut scribendi arte rudem vetustatem superatueros credunt* (“new writers always believe that they will supply something more reliable in content or that they will surpass in literary art an untutored antiquity,” *praef.* 3). In his view there are two ways to compete: one can provide more reliable information or a more refined style. Denser or more plausible narratives are not, at least not obviously, in the running. Fiction might, of course, be part of surpassing antiquity’s lack of expertise with the art of writing, but then it does not extend to the invention of events such as those responsible for the “expansion of the past” mentioned above; it remains stylistic.

Inventio: Practice

Having considered in general terms the constraints on narrative *inventio*, I turn to examples of *inventio* in action to probe the question of how far from the truth truth-like takes us. I begin with a crime foisted on Lucius Quinctius Flamininus (consul 192 BCE) by Valerius Antias, for which Livy claims to offer a more reliable report in the context of the census of 184 (39.42.7–13, plus 39.43.1–3). Livy opens with a summary of Cato's speech against Flamininus, with particular attention to the charge of having executed a Gallic noble to compensate his *scortum* ("catamite"), one Philippus Poenus, for depriving him of Rome's gladiatorial shows by taking him to Gaul. Livy then summarizes Antias' version of the story, with its different details about Flamininus' offense. To Livy it looks as if Antias wrote without consulting Cato's speech and put his trust in a *fabula* with no *auctor*.

Antias' story is the only example in Wiseman (1994) of the invention of an event in Rome's history by an author of historical narratives; the other historical *ficta* discussed there have their origins in speeches or oratory. It is therefore important to note that in Livy's version at least this story appears in a speech, not in the narrative of Flamininus' command in Gaul in 192, which Livy had narrated in book 35 (20.1–7, 22.2–4, and esp. 40.3 for the capitulation of the Boii, which is the context for the alleged killing), while Livy's description of Antias' version (39.43.1–3) suggests that in Antias too the context is the censorial accusation, not the underlying events. That is, the existence of two incompatible versions of Flamininus' offense in the historical record is not particularly good evidence for *inventio* in narrative, since in the surviving history the story does not impinge on the narrative of events. Wiseman shows that, despite Livy's critique, Antias' version appears as a historical factoid in later writers (Cic. *Sen.* 42; Val. Max. 2.9.3), but these are not historians. Compare Luce (1989b: 177): "The one extended case where we can see an ancient historian using his written source (Livy and Polybius) indeed shows *inventio* on Livy's part, but the added touches are not extensive and do not impair the essential integrity of the Polybian narrative."

For an example of *ficta* in narrative I turn to Woodman's best example of Tacitean *inventio*. He argues that the account of Germanicus' visit to the German battlefield on which Arminius defeated Varus' army (*Ann.* 1.61.2) shows a (very small) "hard core of information" developed into a substantial scene by the reuse of, among other things, material from his earlier account of Vitellius' visit to the civil war battlefield on which his legates defeated Otho's army (*Hist.* 2.70; Woodman 1979: 147–9; 1988: 176–8). Similarities of wording and a parallel deployment of eyewitness testimony link the passages. This analysis and the larger argument that Woodman builds on it have sometimes been taken (as Woodman intends!) to impugn Tacitus' reliability as a historian (after one has given the ancient historical texts the literary analysis they deserve, he says, "there is precious little historical evidence left," Woodman 1983: 120). But does it?

It is reasonable to suppose (and Woodman does suppose) that Tacitus had what he considered reliable evidence that Germanicus visited the battlefield. The senate voted triumphal *insignia* to Germanicus' legates in 15 CE *ob res cum Germanico gestas* ("on

account of their deeds with Germanicus,” *Ann.* 1.72). One of the recipients, Aulus Caecina, played a large role in the visit to Teutoberg, including clearing the route for Germanicus’ army (1.61; cf. also 1.63). More discussions may have ensued in connection with the senate’s dedication of an arch in the Forum *ob recepta signa cum Varo amissa ductu Germanici* (“on account of the recovery under the generalship of Germanicus of the standards lost with Varus,” 2.41). What Tacitus may not have had is eyewitness testimony about the details of the visit, who said what when, what the place looked like, and so on. But all he needed to write the passage in the *Annals* is the fact of the visit and the likelihood of the presence of survivors of the battle in Germanicus’ force (see M. Gwyn Morgan 1992: 24), along with a complicated mixture of previous descriptions of battlefields, Vergilian language, life experience, and so on, as Woodman shows. But even if, as I believe, these were Tacitus’ raw materials for his narrative of Germanicus’ battlefield visit, so that his account has to be considered truth-like rather than true, the extent of *inventio’s ficta* is here again quite limited.

In assessing an ancient historian’s reliability one of the important steps is to define the boundaries between event (for which a responsible historian, or at least one that a modern historian will be comfortable using as an authority, will have evidence she or he considers reliable) and description (for which there may well be no direct source, but which a narrative historian can, indeed must, provide out of “background material”). In the passage just discussed, for example, *inventio* provides a description. Similarly, in the introduction to his recent translation of the *Annals*, under the heading of the historian’s “treatment of events,” Woodman illustrates the reach of *inventio* with a description of the senatorial attitude to Nero when he put off a trip to Egypt (Woodman 2004: xvii, on *Ann.* 15.36: *in incerto erant, procul an coram atrocior haberetur*, “[they] were uncertain whether he should be regarded as more frightening when at a distance or before them;” tr. Woodman 2004). But when Tacitus emulates Sallust’s neatly paradoxical phrase about the frightening effect of powerful men (*ut absens an praesens, pacem an bellum gerens, perniciosior esset in incerto haberetur*, “so that it was not certain whether he [Jugurtha] was more destructive absent or present, at peace or waging war,” *Jug.* 46.8) to convey an attitude from a century after Sallust’s death, he is not treating a historical event by means of (inappropriate) invention but rather describing fear. That senators found Nero frightening is a well-attested historical fact, but Tacitus does not need a contemporary source to describe the nature of their fear. Once again, “background material” is sufficient. A modern narrative historian will have his or her own “background material” for describing that fear to modern readers.

I conclude this section with a passage that offers a glimpse of a Roman historian’s desktop. This particular historian, the elder Seneca, is better known as a rhetorician; his memoir on declaimers and declamation survives, albeit in a somewhat tattered form, but his “history from the beginning of the civil wars almost up to the day of his death” does not (the work is thus characterized by his son, the younger Seneca; see Peter 1914: 2.98). However, Seneca’s surviving memoir includes a discussion of four historical narratives of the death of Cicero, an event he himself must have treated in his history (*Suas.* 6.14–21).

Cicero was proscribed and killed in 43 BCE. The event occurred during the youth of Seneca and the earliest of his four rivals, Livy; for the other three – the Tiberian-era

historians Cremutius Cordus, Brutteditus Niger, and Aufidius Bassus – it was an event of the recent past. The first question Seneca asks of the competing narratives is whether they agree as to the central fact, which they do. But rhetoric shows up in the very asking of this basic historical question, since in his view the central event is not the execution of Cicero but Cicero's refusal to plead for his life. Seneca notes with approval the fact that his four authors "spin" the event similarly, and criticizes a fifth author, Caesar's critic Asinius Pollio, for having Cicero abase himself before his execution. But he also reports that Pollio did not go so far as to include this nonsense (*inepte ficta*) in his history of the civil wars; he used it in a speech (*Suas.* 6.14).

After ascertaining the agreement as to the central event, Seneca turns to the individual accounts, quoting some of each. They agree on a number of subsidiary details as well: the litter in which Cicero died, the fact that he volunteered his neck, and, as Seneca notes (6.20), the display of his head and hand(s) in the Forum, the site of his oratorical successes. The individuating elements are quips (Livy, Aufidius Bassus), thoughts (Livy, Cremutius Cordus), feelings (Cremutius Cordus), and the description of the scene in the Forum (Livy, Cremutius Cordus, Brutteditus Niger); one author, Niger, names Cicero's assassin, but the man is otherwise unknown to history. How Seneca bettered his predecessors in narrating this event we do not know, but he seems to have taken care to ascertain the relevant constraints on *inventio*.

Finding *Ficta*

So far I have been addressing the first of the two basic questions posed above. The next section considers the second. Will we know when we have been taken? Woodman says no, Wiseman says yes then no (Woodman 1988: 92–3; Wiseman 1979a: 34–5). None of the *ficta* discussed above is particularly worrying for our confidence in the basic narrative of Roman history. Readers had information *in the text* about a historian's working materials, and would both discern and enjoy the rhetorical development supplied by the author; in some cases they might also have been familiar with rival narratives. Dionysius of Halicarnassus, like the elder Seneca both a rhetorician and a historian, approaches Thucydides' Melian dialogue as follows:

τούτων τῶν λόγων ὅτι μὲν οὔτε αὐτὸς μετέσχευεν ὁ συγγραφεὺς τῷ συλλόγῳ τότε παρατυχὼν οὔτε τῶν διαθεμένων αὐτοὺς Ἀθηναίων ἢ Μηλίων ἤκουσεν, ἐξ ὧν αὐτὸς ἐν τῇ πρὸ ταύτης βύβλῳ περὶ αὐτοῦ γράφει, μαθεῖν ῥάδιον...λείπεται δὲ σκοπεῖν, εἰ τοῖς τε πράγμασι προσήκοντα καὶ τοῖς συνεληλυθόσιν εἰς τὸν σύλλογον προσώποις ἀρμόττοντα πέπλακε < τὸν > διάλογον... (Dionysius of Halicarnassus, *De Thucydide* 41; tr. Pritchett 1975)

That the historian was not present on that occasion at the meeting, and that he did not hear these speeches from the Athenians or the Melians who recited them, may readily be seen from what the author writes about himself in the preceding book. . . . So it remains to be examined whether he has made the dialogue appropriate to the circumstances and befitting the persons . . .

This final section of this chapter applies the kind of source criticism suggested here by Dionysius to an author writing on Roman history, with particular attention to narrative passages.

Caesar's *Commentaries* record for posterity his own wars, Gallic and civil. He was well informed: besides personal experience, he cites reports from officers, reports from scouts, captives, deserters, and merchants, and conversations with those who became reconciled to him after the civil war. Because this is a short chapter, the investigation confines itself to *Bellum Gallicum* 7; readers will be able to check my argument without reading through all of Caesar, and they will be able to test my categories in other Caesarian books and, *mutatis mutandis*, in other Roman historians.

Caesar was present for many, but not all, of the events narrated in *Bellum Gallicum* 7. Present for the initial Roman response to the rebellion in Gaul (7.7–13), the siege and sack of Avaricum (22–8), an intervention in Aeduan politics (32–4), the unsuccessful siege of Gergovia (36–51), and the decisive victory at Alesia (68–89). Absent from Gallic councils (1–2, 14–15, 20–1, 29–30, 37–8, 42, 43, 63–4, 66–7, 71, 75–6, 77–8, 89), Labienus' campaign in the vicinity of Paris (57–62), and the fight of the loyal Allobroges against Gallic attack (65).

What follows is a discussion of the narrative of some events in which Caesar did not himself take part, divided up according to his probable source of information. My analysis sticks closely to Caesar's text, since part of what I want to show is that the ancient reader could in fact distinguish information from invention. I begin with a small incident that occurred during Caesar's assertion of control over a city of the Bituriges, Noviodunum (7.12). Rather than endure an assault, the city capitulated. Centurions and a small number of troops were sent into the city to search out the enemy's weapons and horses, which they had agreed to surrender. During the course of the search Vercingetorix' advance troops arrived in the vicinity, whereupon the Bituriges took up arms again:

centuriones in oppido, cum ex significatione Gallorum novi aliquid ab iis iniri consilii intellexissent, gladiis dstrictis portas occupaverunt suosque omnes incolumes receperunt. (Caesar, *Bellum Gallicum* 7.12.6)

The centurions in the city, when they realized from the signs the Gauls were giving that something new was in the works, drew their swords, took control of the gates, and brought all their men back safely.

Could Caesar have known what happened inside the city when he was outside it? Caesar could have based the sentence quoted above on his knowledge of what Roman officers were supposed to do in such circumstances. On the other hand, if any of his men did escape, Caesar presumably got a report. And his reference to their mental processes ("when they realized...") suggests that Caesar may have transformed that report ("when we realized...") into narrative. Unless none escaped, then yes, he could have had information about what happened. Whether we believe his account is a separate question. After all, it rests on the kind of material that Quintilian said was safest for lying with: (unfalsifiable) thoughts and the actions of someone in whose interest it is that the fiction be believed. Caesar's centurions were unlikely to challenge a story that redounded to their own glory. And the Bituriges did not write books. Here and elsewhere in this chapter I am not arguing that the ancient historical narratives are true – the effects of polemic and partisanship, for example, are not taken

into account – but rather that historians based their narratives on what they could (and often did) claim to be reliable information where that was possible.

For a more substantial episode of the same sort we can turn to Labienus' Paris campaign (7.57–62). In command of four legions in the Seine region while Caesar was at Gergovia, Labienus planned to attack Paris (7.57.2). While he was maneuvering troops into position, rumors reached the Gauls of Caesar's failure at Gergovia and his subsequent difficulties in the Loire area. Gallic resistance multiplies and Labienus realizes that his job is now not to attack the enemy but to extricate his legions (7.59.3–4). He succeeds against a formidable opponent (7.57.3, Camulogenus) by means of an elaborate stratagem (7.60–2). Caesar stresses his own separation from these events: before the episode he refers to his desire to reach Labienus (7.56.2), during it he has Labienus urge his troops to fight "as if Caesar were present" (7.62.2), and he ends the episode with the words "[Labienus] reached Caesar" (7.62.10). For his knowledge of this campaign, which is narrated in considerable detail, the reader knows that Caesar was dependent on Labienus and those with him. As we saw above, of course, Asinius Pollio charges Caesar with giving too much credence to such reports.

For another substantial episode in book 7 Caesar gets information from two sources: an ally, the Aeduan Eporedorix, who informs Caesar about the treacherous plans of a rival Aeduan leader, and the enemy, which confirms the information after the fact. The rival, Litaviccus, was supposed to deliver some allied troops to Caesar, but instead persuaded them to support Vercingetorix by saying that the Romans had executed the Aeduan cavalry who had already joined Caesar (including Eporedorix). He had been bribed, says Caesar (7.37). The whole story comes to Caesar through Eporedorix, but it is not clear how Eporedorix got his information, since Eporedorix was with Caesar, not Litaviccus. On this apparently tenuous thread Caesar hangs a detailed narrative that includes speeches indirect (7.37.3–5) and direct (7.38.2–3, 6–8), false witnesses who charge the Romans with betrayal (7.38.4–5), and atrocities against Roman citizens who had entrusted their safety and goods to Litaviccus (7.38.8–9). The reader who raises a quizzical eyebrow here will also note, however, that the outcome of the eventual encounter between Caesar and the turncoat Aeduan troops depends on the truth of his information: they give up when they realize that Litaviccus deceived them about the death of Eporedorix and his troops (7.40.6). The Aedui ask for mercy, and, no doubt, blame everything on Litaviccus (cf. 7.43.1), who has conveniently fled with his supporters (7.40.7).

On this occasion, as on others where he gets information from captives and deserters (see, e.g., 7.18.1, 7.44.2, 7.72.1), he may in fact have had information about what happened in the enemy camp. For example, it is possible that Caesar obtained his information about the unusual terms of an oath sworn by the Aedui at 7.66.7 – no one was to return home *qui non bis per agmen hostium perequitarit* ("who had not ridden twice through the enemy line") – from the three enemy leaders captured in the subsequent battle, men he had been on familiar terms with before (7.67.7, including Eporedorix). Similarly, the details of a Gallic plan at Gergovia – Vercassivelaunus in command of 55,000 troops from the bravest tribes (7.83.4–6) – could have been had after the fact from Vercassivelaunus, who was captured alive (7.88.4). But elsewhere his account of such events seems to be based on inference. His narrative of the council of war in which Vercingetorix proposes a scorched-earth

policy, for example (7.14), is followed immediately by twenty cities in flames in the territory of the Bituriges (7.15.1): *in omnibus partibus incendia conspiciuntur* ("fires are seen in every direction," 7.15.2). The follow-up discussion in which it is decided that Avaricum (modern Bourges), *pulcherrimam prope totius Galliae urbem* ("the city that was almost Gaul's most lovely," 7.15.3), should be defended rather than destroyed (7.15.3–5) can be deduced from the fact that the city received a garrison (7.15.6). The fact that Vercingetorix opposed this concession (7.15.6) can be deduced from the unusual circumstance that he retained command after a humiliating defeat at Avaricum, "although," says Caesar, "reverses generally diminish the authority of other commanders" (*itaque ut reliquorum imperatorum res adversae auctoritatem minuunt*, 7.30.3).

Now I turn to an event for which the chain of evidence or argument is less clear. At Gergovia one Teutomatus, king of the Nitiobroges, was resting at midday in his camp outside the fortified city when suddenly Caesar's men were upon him; the king fled without delay, and without clothing on his upper body (7.46.5). How did Caesar know? Possibly he got the information from his men, although one wonders how they identified a half-naked king who got away. More likely, in my view, is that he invented the scene to serve ends both literary and polemical.

Catching your enemy napping is proof of speedy action, and as Caesar makes clear in his careful explanation of his battle plan at Gergovia, speed was the only thing that would allow his forces to overcome their disadvantageous position (*hoc* [sc. *incommodum*] *una celeritate posse vitari*, 7.45.9). The Teutomatus vignette proves that in this respect, at least, Caesar got what he wanted from his men, even though Gergovia was as a whole his worst showing in Gaul: "Elemente der grossen Geschichtsschreibung sind besonders dort zu finden, wo das kriegerische Geschehen nicht dem Planen Caesars entspricht" ("Elements of the grand style of historical composition are found in particular where the war's events do not correspond to Caesar's planned tactics," Gärtner 1975: 96). The episode also humiliates Teutomatus, who is fighting against Rome despite the fact that, as Caesar reported earlier, his father was a friend of the Roman people (7.31.5), adding a memorable touch to Caesar's cumulative portrait of the Gauls as fickle allies who need a thorough conquest.

Catching your enemy napping is also an exploit credited to other commanders by other historians; it is, in other words, a type scene. This type scene came to historiography from epic; the original, upon which many changes are rung, seems to have been the Doloneia (Hom. *Il.* 10, esp. 469–81). Tacitus uses it twice to illustrate problems of military discipline in the Roman legions who were defeated and eventually forced to declare allegiance to a Gallic empire in the troubled transition from Julio-Claudian to Flavian dynasties. The first episode is brief but telling: the enemy attacks unexpectedly, and the Roman commander, *in cubiculo ac lectulo* ("in his bedroom and indeed in his bed"), learns simultaneously of his troops' predicament and defeat, since he was not sleeping in camp (*Hist.* 4.77). The same commander incurs infamy shortly thereafter, although like Teutomatus he avoids capture (5.21), when the enemy steals his flagship thinking he was aboard when in fact he was once again sleeping elsewhere: *ob stuprum Claudiae Sacratae mulieris Ubiae* ("on account of illicit sex with Claudia Sacrata, an Ubian woman," 5.22). Tacitus' depiction is unforgiving: *dux semisomnus ac prope intectus errore hostium servatur* ("the general, half awake and nearly naked, was saved by the error of the enemy," 5.22). On this

occasion, in fact, the whole Roman force, *incuriosis vigiliis* (“with its night watches careless”), is caught napping; the enemy cuts their tent ropes and kills the sleeping men before they can untangle themselves (5.22).

The Teutomatus episode, then, serves Caesar’s polemical ends (making Caesar look speedy and the Gaul fickle). It also adds a rather humorous detail to a narrative of Roman defeat. That is, its presence in the narrative is explicable in rhetorical and literary terms whether the event rests on good authority or none.

This brief survey suggests that it is generally possible to separate the threads that make up Caesar’s narrative fabric, to know, that is, whether the particular thread you are pulling is information, or inference, or coloring. *Inventio* is responsible for all of it, invention for some. What does this lead us to say about historical reliability and the role of rhetoric? Much of the narrative meets the criterion of “if it happened, could Caesar have known about it?” Some events, however, rest on a foundation of logic, not knowledge, and their details are plausible, not authentic. Still others flesh out commonplaces. And some seem to have sources whose scope and reliability cannot now be ascertained. But for very few is the verdict “*ben trovato*.” Episodes such as Teutomatus’ nap can be discarded without much harm to our understanding of the history of 52 BCE. But what reader wants to discard this or any of the fruits of the union of rhetoric and historiography?

FURTHER READING

On Roman historiographical theory, in addition to the books and articles by Wiseman and Woodman cited in this chapter, see Cape (1997) and Feldherr (2003), both of which provide contextual analysis of Cicero’s discussion of historiography in *De Oratore* 2. Marincola (1997) considers how the historians of Rome (and Greece) established their credibility. Recent discussions of the rhetorical qualities of Roman histories include Aubrion (1985, 1991), both in French; Plass (1988); and Sinclair (1995). On the rhetorical elements of speeches in Roman histories see Canter (1917–18); Ullmann (1927, 1929), both in French; and Luce (1993b). For the function of speeches within the narrative see: on Caesar, Rasmussen (1963), in German; on Livy, Walsh (1961: 219–44); on Tacitus, Miller (1964); on Tacitus’ *Histories*, in particular Keitel (1987, 1991, 1993) and Levene (1999); on the *Annals*, B. Walker (1960²: 33–77). For Sallust no comprehensive treatment exists; his (long) speeches are generally treated in the context of discussion of individual works; for good brief remarks see the chapter on Sallust in Kraus and Woodman (1997: 10–50, esp. 36–9). Most general books on the Roman historians devote attention to speeches and rhetoric.

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Glossary of Technical Terms

This glossary covers terms drawn primarily from classical rhetoric and Roman life and politics.

accusatio in a judicial case, the accuser's allegation of misconduct by the defendant (cf. Gk *kataphasis*; Lat. *insimulatio*).

accusator the prosecutor of a court case. In general the term is a neutral one, but in Tacitus and Pliny prosecutors are often referred to pejoratively as *delatores*.

actio the delivery of a speech, usually analyzed in terms of the orator's use of voice and gesture; traditionally the orator's fifth *officium* (cf. Gk *hypokrisis*; Lat. *pronuntiatio*).

adnominatio see paronomasia.

adversarius the opponent in a law case, debate, or political campaign.

aedile an annually elected Roman magistrate in charge of urban administration, including public buildings, games and entertainment, markets, corn supply, etc.

aerarium militare the military treasury consisting of funds raised to maintain the army, including a pension fund for disabled soldiers; it was administered by three prefects.

allegory a speech or piece of writing that contains a hidden meaning or stands as a metaphor.

alliteration repetition of the same consonant at the beginning of successive words or syllables.

altercatio a dispute or series of verbal exchanges with an opposing speaker.

ambiguum an ambiguity that provides a source of dispute in a law or written document (cf. Gk *amphibolia*).

anapaestic septenarii/octonarii anapaestic verse (◡◡–) in lines of seven and a half or eight feet.

anaphora repetition of a key word at the beginning of successive clauses or phrases.

anaphoric is use of the Latin demonstrative pronoun (*is*) to identify the subject (occasionally object) of a new clause or sentence.

anticategoria counteraccusation of an opponent in a law case.

antithesis the opposition or contrast of ideas or words in a balanced or parallel construction.

apostrophe in a speech, a rhetorical technique in which the orator turns from the general audience to address another person or group who may or may not be present.

aretalogy the cataloguing of a person's virtues, often used in poems and speeches celebrating gods or heroes.

argumentatio the part of a speech designed to support the speaker's position with proof and arguments. It is often divided into the separate speech parts of confirmation and refutation (cf. Gk *pistis*).

ars dictaminis the medieval art of prose composition, including letter writing.

ars epistolandi the medieval art of letter writing.

ars poetriae the medieval art of writing poetry and epideictic.

ars precandi the medieval art of praying to God.

ars predicandi the medieval art of writing sermons and homilies.

artificial memory memory in antiquity was traditionally divided into two parts: artificial and natural memory. Natural memory is what a person is born with; artificial memory is how this natural memory is improved through learned techniques.

assonance repetition of the same vowel sound in successive words or syllables.

asyndeton the omission of particles or conjunctions between coordinate phrases, clauses or words.

Atticist/Asianist (controversy) during the Hellenistic period Greek orators in Asia Minor developed a florid, witty, emotionally charged, bombastic style. Orators in Rome who followed this style were criticized and labeled Atticists by those who favored a sterner, more solemn, more "Roman" oratorical style. The conflict between these two broad opposing views of best oratorical style forms the Atticist/Asianist controversy.

auctoritas authority (of a personage, speaker, or text).

cantica passages of Roman comedy designed to be recited or sung rather than spoken.

captatio benevolentiae an attempt to win the sympathy and goodwill of the audience.

carmen this term is commonly used to refer to instances of formalized Roman speech such as prayers, magic formulas, laws, and treaties. Many of the texts that testify to these forms of speech belong to a preliterate phase of Roman cultural history.

carmina songs, especially the formalized prayers and rituals of early Roman law and religion.

catena a type of commentary on a classical text. Explanatory remarks were keyed to the first words of the sentence or paragraph in the original text to which they related; these key words formed a kind of chain (*catena* in Latin).

ensor one of two Roman officials who performed registration and property assessment of Roman citizens (in theory every five years). They also had the power to affix a mark of censure on an individual.

centumviral court a court composed of a panel of 105 jurors, or divisions thereof, under the republic and 180 jurors during the empire; the court arbitrated cases regarding inheritance and property of high value.

centuriate assembly the *comitia centuriata* in which every Roman citizen was eligible to vote. The centuriate assembly elected the major magistrates such as the consuls and praetors for each year.

chiasmus the arrangement of balancing pairs of words not in parallel (*abab*) but in inverted order (*abba*).

chreiae collections of witty sayings and anecdotes that might be used by orators and students.

clausula a rhythmical conclusion to a clause or sentence.

cliens a person whose protection has been undertaken by a more powerful individual; in a forensic context, the person represented by the pleader in court.

cogitatio literally, "reflection," "thought," or "premeditation"; Quintilian's term for the procedure of composition by first devising the text *in memory* before writing it down.

colometry study of rhythmical units and their organization.

colon (cola) a short rhythmical unit of speech.

color the gloss or spin applied to a version of events or argument related by the orator.

comitia an assembly of the Roman People summoned by a Roman official for the purpose of decision-making.

commentarius a memorandum or collection of notes.

- commiseratio** the rousing of pity in a speech.
- compositio** the arrangement of words and phrases in a speech; the structure of a speech.
- conclusio** the final section of a speech.
- confirmatio** the part of a speech designed to present the speaker's constructive arguments in a rhetorical dispute (cf. Gk *pistis*).
- coniectura** a type of dispute that revolves around whether or not a particular act was committed (cf. Gk *stokhasmos*).
- conquestio** a lament or an emotional plea for the jury to show mercy to the accused.
- consolatio** a speech or passage in a speech that aims to console.
- constitutiones** issues or sources of dispute that arise in a judicial case (cf. Gk *zetemata logika*).
- consuetudo** established, widespread linguistic usage; the normal manner of speaking; "the consensus of the educated" according to Quintilian.
- consul** one of the two chief officials at Rome elected annually.
- contio** a meeting of the Roman people summoned by a Roman official for the purpose of discussion; also a speech delivered at this type of meeting.
- contra rem publicam** (a crime) against the state; prosecutors who brought charges of sedition had to establish that the (violent) actions of a person or persons constituted a crime against the state itself rather than just other private individuals.
- controversia** a rhetorical debate based on a (often hypothetical) point of law.
- corona** literally "crown," the crowd of spectators at a public trial at Rome.
- correctio** a rhetorical device in which the orator replaces a word or phrase he has just used with a more appropriate one (usually for the sake of emphasis).
- cursus honorum** the established political career path for political aspirants in Rome. The basic progression was first to be elected quaestor, then praetor, and then consul.
- decemviri** members of a commission of ten men appointed as officials for specific tasks (e.g., supervise land distribution, serve as officials in subject territories).
- decorum** appropriateness, particularly in language (cf. Gk *to prepon*).
- defensio** in a judicial case, the reply of the defendant to an accusation (cf. Gk *apophasis*; Lat. *deprecatio*).
- definitio** a type of dispute that revolves around the meaning of a word in a law or written document, or the legal definition of an admitted act; see also *finitio*.
- delator** a general term of abuse employed especially by Tacitus, Pliny, and their contemporaries, which could apply to any number of participants in the legal process, including an *index* (informant), *testis* (witness), or *accusator* (prosecutor).
- deliberative** see *genus deliberativum*.
- devotio** a ritual by which a Roman pledged either himself or his enemy (or both) to the gods of the Underworld and death.
- dictamen** another term for the *ars dictaminis*.
- dictatores** the medieval teachers of *dictamen*.
- digressio** literally, digression; the part of a speech designed to confirm or refute by amplifying a theme that is separate from the matter at stake in the cause (cf. Gk *parekthesis*).
- dispositio** literally, arrangement; the ordering of materials in a speech (cf. Gk *taxis*).
- dissuasio** a speech advising the rejection of a proposed motion, action, decision, etc.
- divisio** the explicit identification by an orator of the principal lines of argument that will be adopted in a speech.
- doublet** a pair of words, often synonymous, usually joined by "and" (*et*, *-que*, *atque*).
- dubitatio** the raising of a question on an issue of fact by the orator; or, as a rhetorical device, simulated doubt or indecision on the part of the orator.
- ecphrasis** the preliminary section of a speech dealing with the formal (and often intricate) description of anything central to the orator's argument; or a set-piece description in a speech of a place or object.

ellipsis the omission of words from a sentence that in other circumstances would usually be included.

elocutio the stylistic embellishment of an orator's language; traditionally the orator's third *officium* (cf. Gk *lexis*).

encomium (pl. *encomia*) a speech of praise (one branch of epideictic oratory).

enkyklios paideia the ancient Greek idea of a broad-ranging education, encompassing physical education, music, and grammar.

enthymeme a rhetorical syllogism where either the major or the minor premise is left implied (cf. Gk *enthymema*; Lat. *enthymema*).

epanaphora the repetition of a key word at the end of successive clauses or phrases.

epicheiremes pieces of dialectical reasoning, as opposed to enthymemes or pieces of syllogistic reasoning.

epideictic see *genus demonstrativum*.

epitaphios a speech given at a funeral.

ethopoeia a rhetorical device in which the orator takes on the character of someone else, usually by the introduction of direct speech.

ethos a kind of proof (according to Aristotle) through which the orator's character is presented in a favorable way so as to influence the audience.

etymology the study of the linguistic derivation of words.

excepta oratio a specific excerpt or passage taken from a speech (and quoted).

exemplum an example used to illustrate an argument; or an inductive rhetorical argument that reasons from a better-known particular to a lesser-known particular based on similarity (cf. Gk *paradeigma*, *epagoge*; Lat. *inductio*).

exordium the opening of a speech, typically designed to secure an attentive, benevolent, and intelligent hearing from the audience, or to remove prejudice (cf. Gk *prooimion*).

extra causam an additional or supplementary argument, reason, piece of evidence, etc., that an orator might incorporate into his speech.

factio a political clique.

ficta made-up or deceitful passages, accounts, claims, etc., in a speech or text.

fides the bond of good faith between a Roman *patronus* and his *clients*.

figura etymologica wordplay involving linguistically cognate words.

figure an established form of rhetorical expression; sometimes distinguished from a trope as a device that employs words in a literal rather than nonliteral way.

finitio a type of dispute that revolves around the legal definition of an admitted act (cf. Gk *horos*).

gemination the immediate repetition of a word, usually for emotional effect.

genus deliberativum a type of oratory designed to persuade for or against a course of action, typically in front of an advisory or legislative body such as the senate or assembly of the people (cf. Gk *to symbouleutikon genos*).

genus demonstrativum a type of oratory written primarily for display or ceremonial purposes. Speeches of praise and blame are often placed within this category (cf. Gk *to epideiktikon genos*).

genus iudiciale a type of oratory practiced in the law courts, and so concerned primarily with the accusation or defense of a past act (cf. Gk *to dikanikon genos*).

grammaticus professional teacher of language and literature employed at the first formal stage of Roman education; also sometimes began instruction in preliminary rhetorical exercises.

gratiarum actio a speech of thanksgiving.

habitus the carriage and style of individuals (a term first employed by the sociologist Bourdieu).

hermeneutics the study of the methodologies of literary interpretation.

homoeoarchon the use of words with identical beginnings.

homocoprophoron alliteration.

homocoptoton the use of words with identical case-endings.

homoeoteleuton the use of words with identical endings.

humiliores the lower classes.

hyperbaton in a sentence, the separation of words which normally belong together, usually for emphasis.

hyperbole bold overstatement or exaggeration, for rhetorical effect.

hypothesis school exercise in which a particular case is used for a debating point (in contrast to *thesis*, an argument over a general point).

iambic senarii / octonarii iambic (◡–) lines of six / eight feet.

ideai Platonic “forms.” Plato’s doctrine of the forms or ideas maintains that things in the world are merely imitations of pure, perfect forms or ideas that reside above the world in a so-called “Platonic heaven.”

imitatio a literary approach often used by classical authors of isolating and following closely a particular model, while also introducing elements that reflect authorial originality.

index an informant who denounces a crime.

indignatio literally, anger provoked by a sense of wrong; in rhetorical theory, a speech or part of a speech designed to arouse indignation.

inductio see *exemplum*.

infamia disgrace or dishonor; a moral and social stigma that places one beneath or outside normal society. In Roman law, *infamia* could involve the official loss of various rights.

inference a source of dispute over a law or written document concerning the degree to which its meaning can be extended to matters not contemplated in the text (cf. Gk *sylogismos*; Lat. *ratiocinatio*).

ingenium natural talent or genius, inspiration.

insinuatō in rhetorical theory an “indirect” speech opening that aims to counter the prejudices of the audience.

interrogatio the examination of a witness in a forensic trial; as a rhetorical device, the use of rhetorical questions.

inventio the devising or planning of arguments (or subject matter) in a speech (the first *officium* of the orator according to standard rhetorical theory).

invidia “resentful envy”; one of the emotions Roman orators sought most eagerly to arouse in their efforts to turn juries against their opponents.

isocolon (pl. *isocola*) stylistic device in which clauses of equal length are employed.

iudicatio in a judicial case, the crucial point of dispute that arises for the judge to determine; sometimes called *status* (cf. Gk *krinomenon*).

iudicium a judgment; or discernment on the part of the audience, judge, or orator himself.

judicial used in trials of law; forensic. See also *genus iudiciale*.

lectio the reading of a prepared passage (in an educational setting).

legal questions in a rhetorical controversy, a category of disputes concerning the texts of laws and written documents (cf. Gk *zetemata nomika*; Lat. *controversiae scripti*).

leges contrariae literally, contrary laws; a type of dispute that revolves around the consistency of one law or written document with another (cf. Gk *antinomia*).

limited question a hypothesis or cause; a disputable matter of a particular nature, with reference to specific individuals and circumstances (cf. Gk *hypothesis*; Lat. *quaestio finita, causa*).

loci the Latin term for the “architectural” system of memorization. The singular is *locus* and means “place,” and is the source for the modern usage of “in the first place,” “in the second place,” and “commonplace.”

loci (communes) “commonplaces”; see *topoi*.

long verse verse in lines of seven and a half or eight feet.

maiestas the term used for the charge of treason in both the republic and the principate; the term was a vague one and could conceivably cover any number of charges, from those relating to provincial maladministration to conspiracy.

memoria memory, the artificial retention of matter and language for use during the presentation of a speech (cf. Gk *mneme*).

mnemotechnics another term for “art of memory.”

mores oratoris literally, the character of the orator; see *ethos* (cf. Gk *ethos tou legontos*).

mos maiorum literally “the way of our ancestors”; thus, inherited custom or tradition.

multiloquium “much speaking,” a rare classical and ecclesiastical word used by Peter Abelard to refer, probably, to the many available ways of saying things, i.e., the imprecision and ambiguities inherent in discourse.

narratio the section of a speech in which a speaker relates his version of the facts of the case (cf. Gk *diegesis*).

natural memory see “artificial memory.”

nobiles a term meaning “well-born” or “noble” that applied to persons whose ancestors had held the consulship.

numerus the classical Latin art of prose rhythm.

officia (oratoris) the traditional tasks or duties of the orator, of which there are five: *inventio*, *dispositio*, *elocutio*, *memoria*, and *actio*.

optimates literally, the best class of men; the aristocrats in the late republic who pursued their political ends through the senate (rather than the popular assembly).

ornamenta consularia the insignia, decorations, costume, and status of consul conferred on a man as a grant or reward; a sign of imperial favor that gave a man consular rank despite not having attained that office.

ornatus the stylistic embellishment of a speech.

oxymoron a conjunction of seemingly contradictory expressions for rhetorical effect (e.g., “I must be cruel only to be kind”).

paideia the educational attitudes and practices of Greco-Roman antiquity.

paradoxon the introduction of an unexpected element in an orator’s remarks in order to amuse or charm the audience.

parallelism a similar word-order or structure between clauses.

paronomasia wordplay involving words of similar sounds, including but not restricted to puns (Lat. *adnominatio*).

partitio one of six distinct parts of a forensic oration; the section in which a speaker gives an overview of the points he intends to cover (cf. Gk *diakresis*).

pathos a strong emotion such as pity, fear or outrage. For Aristotle, *pathos* was an important means of persuasion (or proof) available to the orator. The speaker who uses *pathos* excites the emotions or passions of the audience in order to convince them of his case.

patria potestas the total authority that in Roman law all fathers have over their sons irrespective of age.

patrocinium protection afforded by a *patronus*; in a forensic context, a defense.

patronus an influential person who has undertaken responsibility to protect a less powerful person; in a forensic context, an advocate for the defense.

pepaideumenoi literally “educated,” and so by implication well-bred or upper class.

peroratio the conclusion of a speech, often highly emotional in style and content (cf. Gk *epilogos*).

persona (theory) a term used to indicate the difference between the actual real-life composer of a text and the composer as we realize him through the (distorting) medium of the words of the text itself (labeled the composer’s *persona*). The degree of correspondence between each can vary greatly.

perspicuitas clarity of speech or exposition.

pleonasm redundancy, the use of more words than necessary to express an idea.

political question a matter of debate that affects a citizen (cf. Gk *zetema politikon*; Lat. *res civilis*).

- polyptoton** recurrence of the same word with different word-endings.
- polysyndeton** the use of many particles or conjunctions in a sentence or passage.
- populares** as a noun, those politicians in the late republic who bypassed the traditional senatorial mechanisms in order to pursue their political ends through the popular assembly.
- popularis** as an adjective, favoring the interests of the common people; demagogic.
- praeexercitamina** “preparatory exercises” (*progymnasmata* in Greek); preparatory composition exercises used in grammatical and rhetorical training in the classical, medieval, and renaissance periods.
- praefectus fabrum** the chief of engineers (an important post in the Roman army).
- praetor** second in rank of the annual magistracies at Rome, principally concerned with the administration of justice.
- prefect** an officer appointed by a magistrate (usually a provincial governor) for military or civil duties.
- (to) prepon** appropriateness (cf. Lat. *decorum*).
- princeps** the first citizen, a term denoting the emperor.
- principatus** the principate, the imperial governing system.
- progymnasma** (pl. *progymnasmata*) see *praeexercitamina*.
- prokatakstasis** an introduction to a speech.
- propositio** the statement of the position that the orator holds (cf. Gk *prothesis*).
- prosopography** a method of historical inquiry focused primarily on political careers and family connections.
- prosopopoeia** a rhetorical device in which the orator speaks in the character of a different person (often a well-known historical figure or a personification of something inanimate, such as the fatherland).
- prosphoneticon** a public oration or address.
- quaestio perpetua** permanent criminal court, developed in the mid-second century BCE and used until the early third century CE.
- quaestor** the office by which a Roman gained entry into the senate; in charge of basic infrastructure and more specifically finances in military, provincial, and urban settings.
- qualitas** literally, quality; a type of dispute that revolves around the possible justification or mitigating circumstances of an admitted act (cf. Gk *poiotes*).
- quindecimvir sacris faciundis** one of the fifteen priests in charge of the Sibylline books (hence a highly prestigious position); these priests were often asked by the senate to consult the Sibylline books in order to help interpret prodigies or other disasters.
- ratio** literally, “reasoning”; in a judicial case, the rationale given by the defendant for why an admitted act was not illegal, or is unpunishable or unreachable by the procedure employed in accusation (cf. Gk *synekhon*).
- reductio (ad absurdum)** “reduction to absurdity” of, for instance, an argument, idea or image. The presentation of something as absurd in order to create an ironic or anticlimactic effect.
- refutatio** the refutation of the opponent’s case in a speech; the part of a speech designed to disprove or weaken the opponent’s arguments in a rhetorical dispute (cf. Gk *ta pros ton antidikon*, *lysis*; Lat. *reprehensio*, *confutatio*).
- relatio** the laying of a matter before the senate for discussion; a motion so introduced.
- repetundae** a term used to refer to the maladministration of provinces by Roman governors. A standing court *de rebus repetundis* was established to try governors on charges of extorting money from provincials.
- rhetor** professional teacher of rhetoric.
- rhetores Latini** teachers of the art of oratory who used Latin (rather than Greek) as their medium of instruction.
- scholastici** professional lecturers in the schools of rhetoric of the imperial period.

scortum a male prostitute.

scriptum et sententia the literal meaning (*scriptum*) of a law or document, as opposed to its author's intention (*sententia*). This potential discrepancy was often a source of dispute in legal contexts.

sententia (pl. *sententiae*) a pithy, rhetorically pointed statement.

Social war the war between Rome and its rebellious allies between 91 and 88 BCE.

song introduced in the study of archaic Greek poetry, this term has been extended to describe any type of cultural expression marked by ritualized speech acts and bodily movements.

sophists the sophists were itinerant teachers of higher education in the classical Greek world who taught for a fee (often quite high). They were criticized (most notably by Plato) for favoring persuasion and skepticism over truth and morality.

special topics conceptual "places" from which arguments may be drawn or constructed for a single subject, especially judicial, deliberative, and demonstrative subjects (cf. Gk *eide*; Lat. *inventia*).

stasis (pl. *staseis*) the main issue upon which a legal case turns.

suasoria a rhetorical exercise in which the speaker argues for or against a particular course of action. In the schools the theme of the *suasoria* often involved a well-known figure from history.

suffect consulship when a Roman magistrate died or resigned a substitute (*suffectus*) was nominated in his place (in the imperial period by the emperor himself). Thus, a suffect consulship is the office held by a replacement consul.

syntacticon a farewell speech.

testis a witness who testifies at a trial.

thesis see *hypothesis* and unlimited question.

tirocinium fori the apprenticeship in public life of upper-class young males, usually by an experienced senatorial acquaintance (the phrase is a coining by modern scholars).

topoi the Greek term for *loci*. The singular is *topos*.

translatio a type of dispute that revolves around the legality of the procedures involved in laying an accusation (cf. Gk *metalepsis*).

tricolon a linguistic structure involving three parallel phrases or clauses.

trochaic septenarii trochaic verse (– ∪) in lines of seven and a half feet.

trope an established figure of speech that uses words in nonliteral ways, such as metaphor. See also figure.

Twelve Tables according to Roman tradition the Twelve Tables (or *tabulae*, large writing tablets) contained the first legal statutes committed to writing and displayed in public. They were set up in 451/450 BCE by specially selected magistrates and formed the basis for subsequent developments in Roman law.

unlimited question a disputable matter of a general nature (e.g., is it wise to marry?), without reference to individuals or circumstances (cf. Gk *thesis*; Lat. *quaestio infinita*).

urbanitas the perceived qualities of a city-dweller, such as polish, wit, elegance, and refinement.

variatio deliberate variation of expression or vocabulary in order to avoid repetition of the same words or forms.

varietas variety in expression.

vetustas an archaic quality that lends respectability to something.

vis trial a trial concerning the charge of seditious violence (*vis*) against a Roman citizen.

zeugma literally "yoking"; the case where a single word stands in the same grammatical relation to two or more other words, but with an obvious shift in its meaning or significance in relation to each particular word.

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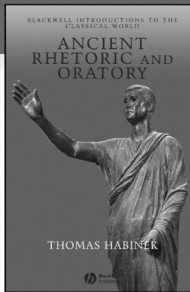
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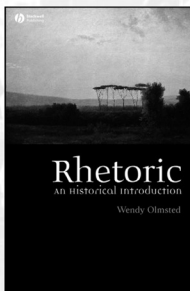
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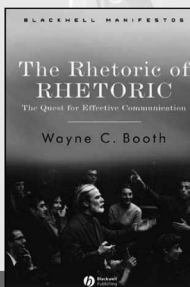
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